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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1992

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992	June 23, 1992	June 30, 1992	28	July 10, 1992
Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992	June 30, 1992	July 7, 1992	29	July 17, 1992
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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT ON AGING

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Proposed Action:
 240.400 Amendment
 240.415 Amendment
 240.451 New Section
 240.720 Repealed
 240.725 Repealed
 240.726 Repealed
 240.727 New Section
 240.728 New Section
 240.800 Amendment
 240.810 Amendment
 240.825 Amendment
 240.855 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 23
 Sections 6104.01(4), (9), (11) and
 (12); 6104.02, 6104.03 and 6105.02
- 5) A Complete Description of the Subjects and Issues Involved:
 During the course of Fiscal Year 1992, many state programs and services were reduced dramatically or even eliminated because of the need to balance the State's budget. The passage of the Emergency Budget Act of Fiscal Year 1992 authorized the Department "to limit services, to reduce or adjust payment rates, and to modify eligibility criteria as necessary to implement contingency reserves" (P.A. 87-838, 87th General Assembly, Special Session, January, 1992) in a continued effort to balance the State's FY92 budget.

It is now Fiscal Year 1993, and there are not sufficient appropriations for the Community Care Program to reinstate services to grandfathered clients or to reinstate prior service maximum levels.

Therefore, in order for the Department on Aging not to be required to reinstate grandfathered clients, not to reinstate prior service maximum levels and to afford each applicant/client their applicable and appropriate appeal rights in accordance with Departmental rule requirements and statutory mandates to ensure that the limited resources of the Community Care Program are distributed equitably and

distributed most specifically to those elderly in the greatest economic and social need, it has become necessary for the Department to amend those rules which deal with service maximums based on the client's Determination of Need score, those rules which deal with "grandfather" clients and those rules which deal with client appeals.

Effective July 1, 1992, those agencies which provide services under the Community Care Program will not reinstate grandfathered clients and will not reinstate prior service maximum levels. All agencies which provide Community Care Program services are affected by this rulemaking.

The purpose of this rulemaking is to allow the Department not to be required to reinstate grandfathered clients, not to reinstate prior service maximum levels and to afford each applicant/client their applicable and appropriate appeal rights in accordance with Departmental rule requirements and statutory mandates, thereby ensuring that the limited appropriated resources of the Community Care Program are distributed equitably and distributed most specifically to those elderly in the greatest economic and social need.

6) Will this proposed rule replace an emergency rule currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date?
 Yes ☐ No ☒

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
240.1600	Amendment	3/20/92:16 Ill. Reg. 4087
240.1605	Amendment	3/20/92:16 Ill. Reg. 4087
240.1610	Amendment	3/20/92:16 Ill. Reg. 4087
240.1620	Amendment	3/20/92:16 Ill. Reg. 4087
240.1625	Amendment	3/20/92:16 Ill. Reg. 4087
240.1630	Amendment	3/20/92:16 Ill. Reg. 4087
240.1635	Amendment	3/20/92:16 Ill. Reg. 4087
240.1640	Amendment	3/20/92:16 Ill. Reg. 4087
240.1645	Amendment	3/20/92:16 Ill. Reg. 4087
240.1650	Amendment	3/20/92:16 Ill. Reg. 4087
240.1655	Amendment	3/20/92:16 Ill. Reg. 4087

NOTICE OF PROPOSED AMENDMENTS

240.1660 Amendment 3/20/92:16 Ill.Reg. 4087
240.1665 Amendment 3/20/92:16 Ill.Reg. 4087
240.1661 New Section 3/27/92:16 Ill.Reg. 5083

10) Statement of Statewide Policy Objectives: Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons may present their comments concerning this rulemaking by writing to Ms. Mary J. Mayes, Policy and Rules Analyst, Illinois Department on Aging, 421 East Capitol Avenue, Springfield, Illinois 62701 within 45 days after the date of this issue of the Illinois Register.

These rule amendments will have an impact on small businesses. In accordance with Sections 3.01 and 4.02 of the Illinois Administrative Procedure Act, any small business may present their comments to Mary J. Mayes at the above address.

Any small business (as defined in Section 3.10 of the Illinois Administrative Procedure Act) commenting on these rule amendments shall indicate their status as such, in writing, in their comments.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 1, 1992

B) Types of small businesses affected:

Providers of services through the Community Care Program.

C) Reporting, bookkeeping or other procedures required for compliance:

No change from previously established requirements.

D) Types of professional skills necessary for compliance:

No change from previously established requirements.

The full text of the Proposed Amendments is identical to the text of

NOTICE OF PROPOSED AMENDMENTS

the Emergency Amendments which appear in this issue of the Register on page 11628.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

thirty (30) days to:

Nancy J. Bennett, General Counsel
Department of Alcoholism and Substance Abuse
State of Illinois Center
100 W. Randolph Street, Suite 5-600
Chicago, Illinois 60601

12) Initial Regulatory Flexibility Analysis:

Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
July 6, 1992

Types of small businesses affected:

Professional practitioners who, by personal licensure may issue a prescription for a controlled substance.

Reporting, bookkeeping or other procedures required for compliance:
No new reporting requirements are required.

Types of professional skills necessary for compliance:
No new or additional professional skills are necessary.

The full text of the Proposed Rule begins on the following page of this issue of the Illinois Register:

1) Heading of Part: Triplicate Prescription Control Program

2) Code Citation: 77 Ill. Adm. Code 2080

3) Section Numbers: Proposed Action:

2080.10 Amended
2080.20 Amended
2080.30 Amended
2080.40 Amended
2080.50 Amended
2080.60 Amended
2080.70 Amended
2080.80 Amended
2080.120 Amended
2080.140 Amended
2080.150 Amended
2080.160 Amended
2080.170 Amended

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 56 ½, para. 1302(d) and 1308.

5) A Complete Description of the Subjects and Issues Involved:

To reflect statutory change regarding locations which require registration, and to allow the Department the ability to charge reasonable fees for the issuance of triplicate prescription pads (the previous charge was set in 1986). Statutory authority is found in 56 ½ Ill. Rev. Stat. para. 1302(d) and 1308.

6) Will the proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: A Statement of Statewide Policy Objectives is not necessary.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons should address their written comments concerning these rules within

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIES

PART 2080
TRIPPLICATE PRESCRIPTION CONTROL PROGRAM

Section	Authority
2080.10	Definitions
2080.20	General Description
2080.30	Official Triplicate Prescription Blanks
2080.40	Authorized Prescribers
2080.50	Application
2080.60	Official Triplicate Prescription Blanks
2080.70	Prohibited use of the Official Triplicate Prescription Blank
2080.80	Administering and dispensing of a Schedule II designated product by a prescriber
2080.90	Pharmacist responsibility
2080.100	Partial filling of prescriptions
2080.110	Emergency situations
2080.120	Prescriptions from out-of-state prescribers and exempt Federal practitioners
2080.130	Exemptions for prescribers in hospitals and institutions
2080.140	Exemptions for narcotic treatment programs
2080.150	Exemptions for research
2080.160	Investigatory and regulatory referrals
2080.170	

AUTHORITY: Implementing and authorized by Section 308 of Article III of the Illinois Controlled Substances Act (Ill. Rev. Stat. 4983 1991, ch. 56 1/2, par 1308).

SOURCE: Adopted at 10 Ill. Reg. 4492, effective March 3, 1986. Amended at _____, effective _____.

Section 2080.10 Authority

This Part is promulgated pursuant to the Illinois Controlled Substances Act(the Act)(Ill. Rev. Stat. 4983 1991, ch. 56 1/2, pars. 1100 et seq.) which empowers the Department of Alcoholism and Substance Abuse to promulgate rules and charge reasonable fees relating to the control or the dispensing of narcotic drugs listed in Section 206 of the Act, or which are determined to be "designated products" as defined in Section 102 of the Act.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

Section 2080.20 Definitions

No incorporation by reference in this Part includes any later amendments or editions. The

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

definitions which apply to this Part are those found in the Act:

"Act" means the Illinois Controlled Substances Act, (Ill. Rev. Stat. 4983 1991, ch. 56 1/2, pars. 1100 et seq.)

"Department" means the Illinois Department of Alcoholism and Substance Abuse, or its successor agency.

"Drug Dependence" means a state, psychic and sometimes also physical, resulting from interaction between a living organism and a drug, characterized by behavioral and other responses that always include a compulsion to take the drug on a continuous or periodic basis in order to experience its psychic effects, and sometimes to avoid the discomfort of its absence. Tolerance may or may not be present. A person may be dependent on more than one drug.

"Exempt Federal Practitioners" means those practitioners specifically exempted pursuant to 21 CFR 1301 (4985) (1991).

"Exempt prescribers in hospitals and institutions" means prescribers in hospitals or institutions licensed under the Hospital Licensing Act (Ill. Rev. Stat./ 4983 1991, ch. 111 1/2, pars. 142 et seq.) who authorize the administration or dispensing of Schedule II designated products within the hospital or institution.

"Illinois Controlled Substances License Number" means the State authorization number issued by the Department of ~~Registration and Education~~ Professional Regulation (DEA) permitting prescribers to possess, prescribe or dispense controlled substances in Illinois pursuant to the Controlled Substances Act (77 Ill. Adm. Code 1650.70).

"National Drug Code Identification Number" means the number used to provide uniform product identification for all commercially distributed drugs in the United States.

"Official Triplicate Prescription Blank" means the official prescription blanks for the triplicate prescription program supplied to prescribers by the Department for prescribing Schedule II designated product controlled substances.

"Out-of-state prescribers" means those prescribers having a valid Drug Enforcement Administration Registration to prescribe Schedule II controlled substances pursuant to 21 CFR 1301 (4985) 1991 and who are also licensed to prescribe Schedule II designated products in the states where they maintain a professional license to practice.

"Pharmacy Inventory Control form" means the official form used by the Department for the purpose of obtaining uniform reports from Illinois pharmacies related to the dispensing of Schedule II controlled substance prescription drugs pursuant to the written order of an out-of-state or exempt Federal prescriber.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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"Prescribed" means ordered as treatment by a prescriber either verbally or in writing.

"Schedule II designated product" means any narcotic drug, amphetamine, phenmetrazine, methamphetamine, glutethimide, or pentazocine product listed in Schedule II and also means any controlled substance listed in Schedule II which is determined and designated by the Department to be such a product under Section 102(n) of the Act (~~Ill. Rev. Stat. 1983-1982, ch. 56-1/2, par. 1102(a)~~).

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.30 General Description

The Triplicate Prescription Control Program monitors the prescribing or dispensing of all Schedule II designated products within the State of Illinois. The Program also monitors the dispensing of Schedule II controlled substances by Illinois pharmacists pursuant to a written order by prescribers pursuant to Sections 2080.130 and 2080.140 of this Part. The program supplies "Official Triplicate Prescription Blanks" to prescribers and "Pharmacy Inventory Control forms" to pharmacies for Schedule II products issued by out-of-state or exempt Federal prescribers for the purpose of collecting, compiling, and analyzing the information recorded on those forms. The data produced from this system provides an information resource to those agencies in the State that monitor, regulate, and enforce the provisions of the Illinois Controlled Substances Act.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.40 Official Triplicate Prescription Blanks

- a) Official Triplicate Prescription Blanks shall be supplied in serially numbered groups of 100 blanks each in triplicate, and furnished to prescribers at a reasonable charge of \$10.00 per 100 blanks.
- b) Official Triplicate Prescription Blanks shall expire two (2) years after the last day of the month in which they were supplied. An expiration date shall be preprinted on each Official Triplicate Prescription Blank.
- c) Official Triplicate Prescription Blanks shall be imprinted with the prescriber's name, address, and Illinois Controlled Substances License number.
- d) Official Triplicate Prescription Blanks shall not be transferable.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.50 Authorized Prescribers

Every prescriber who issues a prescription for a Schedule II designated product shall issue such prescription on an Official Triplicate Prescription Blank. A prescription for a Schedule II designated product shall be issued only by a prescriber who:

- a) Possesses a valid professional license by the Illinois Department of ~~Registration and Education~~ Professional Regulation (DPR) as a physician, dentist, podiatrist or veterinarian; and
- b) Is authorized to prescribe controlled substances by the State of Illinois in accordance with

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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77 Ill. Adm. Code 1650.370; and

- c) Is registered by the United States Drug Enforcement Administration (DEA) to prescribe Schedule II controlled substances in accordance with 21 CFR 1301 (4985) 1991.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.60 Application

A prescriber shall obtain an application for Official Triplicate Prescription Blanks. The request for an application may be made in writing or by telephone to the Department offices in Chicago or Springfield. The Department shall make available application forms to prescribers upon request. The completed application shall be returned to the Department with a non-refundable check or money order in the amount of the appropriate charge for the number of blanks ordered, \$40.00 payable to the Department of Alcoholism and Substance Abuse.

a) The Department shall supply 100 Official Triplicate Prescription Blanks within 30 days of receipt of the application unless one or more of the following situations exists:

- 1) The prescriber has an expired, suspended, revoked professional license pursuant to Ill. Rev. Stat. 4983 1991, ch. 111, pars. 2222, 4433, 4922, and 6913 issued by the Department of ~~Registration and Education~~ Professional Regulation.
- 2) The prescriber has an expired, suspended, revoked or otherwise disciplined out-of-state professional license.
- 3) The prescriber has a limited, expired, suspended, revoked Illinois Controlled Substances License number pursuant to Ill. Rev. Stat. 4983 1991, ch. 111, pars. 2222, 4433, 4922, and 6913 issued by ~~DPR, the Department of Registration and Education~~.
- 4) The prescriber has an expired, suspended, or revoked ~~Drug Enforcement Administration~~ DEA Registration.
- 5) The check or money order sent by the prescriber is for an incorrect amount, made payable to an incorrect payee, unsigned, or uncollectible for any reason.
- 6) The name or address provided by the prescriber does not match that appearing on the Illinois Controlled Substances License or the ~~Drug Enforcement Administration~~ DEA Registration.
- 7) The application form does not bear the signature of the prescriber.
- 8) The prescriber has not provided all the information required for application by the Department.

b) When the Department has determined that the prescriber possesses a valid Illinois or out-of-state professional license, a State Controlled Substances License, or ~~Drug Enforcement Administration~~ DEA Registration, applications which are incomplete in any manner shall be returned to the prescriber along with the check or money order and with a letter explaining any deficiencies encountered in processing. The prescriber may then resubmit the application in conformance with Departmental requirements.

c) When the Department has determined that the prescriber does not possess a valid professional license, a state controlled substances license, or ~~Drug Enforcement Administration~~ DEA Registration, or upon notification by DPR the Department of ~~Registration and Education~~ Professional Regulation or verification received by other jurisdictions, that the authority to prescribe has been denied or disciplined pursuant to Ill. Rev. Stat. 4983 1991, ch. 111,

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF PROPOSED AMENDMENTS

pars. 2222, 4433, 4922, and 6913, the Department shall deny the application and so notify the applicant in writing. The Department shall refer the above information to the appropriate State or Federal law enforcement or regulatory agency.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.70 Official Triplicate Prescription Blanks

- a) A pharmacist may fill a prescription for a Schedule II designated product only upon receipt of a completed Official Triplicate Prescription Blank pursuant to Section 2080.70(b). The original and the State copy of the Official Triplicate Prescription Blank shall be delivered to the pharmacist filling the prescription. Where both the original and State copy are not presented to the pharmacist, and the pharmacist determines that an emergency situation exists pursuant to Section 2080.120, the pharmacist shall verify the prescription order with the prescriber. Upon verification, the pharmacist shall fill the order following the procedures outlined under Section 2080.120.

- b) An Official Triplicate Prescription Blank shall:

- 1) Be dated as of and signed on the day when issued; and
- 2) Bear the full name and address of the patient, or in the case of veterinary treatment, the full name and address of the animal owner, as well as the species or common name of the animal being treated; and
- 3) Bear the full name and address of the prescriber; and
- 4) Bear the DEA Registration number of the prescriber; and
- 5) Be signed by the prescriber in the same manner as the prescriber would sign a check or legal document; and
- 6) Be written with ink, indelible pencil, or typewriter; and
- 7) Specify the drug name and dosage; and
- 8) Specify the quantity of drug to be dispensed, both written and numeric; and
- 9) Indicate whether drug product selection is permitted pursuant to Ill. Rev. Stat. 4983 1991 ch. 56 1/2, pars. 502.22 and 503.14; and
- 10) Be issued prior to the expiration date preprinted on the form; and
- 11) Contain only one prescription order.

- c) In the event that a pharmacist receives an Official Triplicate Prescription Blank written for a non-designated product prescription drug, all those Schedule II controlled substances not enumerated under the definition of Schedule II designated products, the pharmacist shall mark the State copy "void" and shall submit it to the Department by the 15th day of the month following the month in which it was filled. The pharmacist shall file the original copy of this prescription in the non-designated product prescription file.

- d) In the event that a pharmacist receives an Official Triplicate Prescription Blank on which the preprinted expiration date has passed, the pharmacist shall mark both copies "expired - not filled" and shall submit both copies to the Department. The pharmacist shall notify the prescriber that this Official Triplicate Prescription Blank is invalid and shall make arrangements for the issuance of a valid Official Triplicate Prescription Blank. In the event that the pharmacist is unable to contact the prescriber, the pharmacist shall determine whether to dispense the Schedule II designated product in accordance with Ill. Rev. Stat.

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4983 ch. 56 1/2, pars. 1402(4) Section 102(n) of the Act.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.80 Prohibited use of the Official Triplicate Prescription Blank

- a) An Official Triplicate Prescription Blank shall not be issued by a prescriber for the purpose of obtaining Schedule II designated products for general dispensing to patients. Prescribers may obtain Schedule II designated products for general dispensing to patients by using the DEA's Drug Enforcement Administration's 222 Narcotic Order Form pursuant to 21 CFR 1305 (4985) (1991).
- b) A prescription shall not be issued for the dispensing of a designated product to a drug dependent person for maintaining that person's dependence to such drugs, except in the course of conducting an authorized clinical investigation in the development of a narcotic treatment program as set forth in 77 Ill. Adm. Code 2080.150.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 2080.120 Emergency situations

No person shall issue a prescription for a Schedule II designated product other than on the Official Triplicate Prescription Blank issued by the Department and no pharmacist shall fill any such prescription other than on the Official Triplicate Prescription Blank issued by the Department. However, in the case of an emergency, epidemic or a sudden or unforeseen accident or calamity, the prescriber may issue a lawful oral prescription or a written prescription on a blank other than the Official Triplicate Prescription Blank issued by the Department where failure to issue such a prescription might result in loss of life or intense suffering.

- a) Such prescription shall have endorsed thereon by the prescriber a statement concerning the accident or calamity, or circumstances constituting the emergency, or the cause for which the unofficial blank was used.
- b) Within 72 hours after issuing an emergency prescription, the prescriber shall cause a written prescription on the Official Triplicate Prescription Blank for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face "Authorization for Emergency Dispensing", and the date of the emergency prescription. The written prescription on the Official Triplicate Prescription Blank may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the 72-hour period.
- c) Upon receipt, the dispensing pharmacist shall attach the Official Triplicate Prescription Blank to the emergency prescription earlier received, or in the case of an oral prescription, the document on which it was reduced to writing.
- d) The dispensing pharmacist shall notify the Department if the prescriber fails to deliver the authorization for emergency dispensing on the Official Triplicate Prescription Blank. Failure of the dispensing pharmacist to do so shall void the authority to dispense without a written prescription on an Official Triplicate Prescription Blank of a prescriber.
- e) The Department shall immediately upon discovery notify DPR the Department of Registration and Education in writing of any violations of this Section by prescribers or

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pharmacist.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 2080.140 Exemptions for prescribers in hospitals and institutions

a) Prescribers in hospitals or institutions licensed under the Hospital Licensing Act (Ill. Rev. Stat. 1983 1991, ch. 111 1/2, par. 142 et seq.) who administer Schedule II designated products are exempt from the requirements of Ill. Rev. Stat. 1983 Sections 308 and 312 of the Act ~~ch. 56-1/2, pars. 1308 and 1312~~. Such prescribers shall record in the patient's medical record the name of the Schedule II designated product administered, the quantity, and the date and signature of the prescriber.

b) An order for an outpatient prescription for a Schedule II designated product shall be written on the Official Triplicate Prescription Blank.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 2080.150 Exemptions for narcotic treatment programs

Use of the Official Triplicate Prescription Blank is not required in narcotic treatment programs. The official "prescription logs" issued by the Department shall be completed in accordance with Ill. Rev. Stat. 1983 Section 313 of the Act ~~ch. 56-1/2, par. 1313~~.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 2080.160 Exemptions for research

Prescribers who are authorized by the Department pursuant to the Act (Ill. Rev. Stat. 1984 Sup. ch. 56-1/2, par. 1508) to use Schedule II designated products to carry out research are exempt from the requirements of Ill. Rev. Stat. ~~ch. 56-1/2, par. 1508~~ Section 508 of the Act. Such prescribers shall maintain an inventory record specifying:

- Drug name.
- Drug strength.
- Drug quantity.
- Purpose for which administered.
- To whom administered (if applicable).
- Date(s) on which Schedule II designated product was used.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 2080.170 Investigatory and regulatory referrals

The Department's Triplicate Prescription Control Section shall make investigatory or regulatory referrals to Federal, State and local law enforcement and regulatory agencies based on information collected from the processing of the Official Triplicate Prescription Blanks. All referrals shall be based on the nature of the information and the jurisdictional area for which the information is appropriate. Investigatory or regulatory referrals shall include but shall not be limited to the following criteria:

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- A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, revoked or otherwise disciplined professional license. This applies to professional licenses issued in this or any other state.
- A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, or revoked controlled substances registration. This applies to registrations issued by this State, any other state, or the ~~DEA U.S. Drug Enforcement Administration~~.
- A prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes or dispenses Schedule II designated product using the Official Triplicate Prescription Blank. This applies to professional licenses issued in this or any other state.
- A prescriber with an expired, suspended, or revoked controlled substances registration prescribes or dispenses a Schedule II designated product using the Official Triplicate Prescription Blank. This applies to registrations issued by this or any other state or the U.S. Drug Enforcement Administration.
- An out-of-state prescriber with an expired, suspended, or revoked controlled substances registration prescribes for a Schedule II product.
- An out-of-state prescriber with an expired, suspended, or revoked controlled substances registration prescribes for a Schedule II product. This applies to a registration issued in the prescriber's resident state or a registration issued by the ~~DEA U.S. Drug Enforcement Administration~~.
- A pharmacy with an expired, suspended or revoked Illinois Controlled Substances License, or ~~DEA U.S. Drug Enforcement Administration~~ registration dispenses a Schedule II designated product.
- A pharmacist with an expired, suspended, revoked or otherwise disciplined professional license dispenses a Schedule II designated product. This applies to a professional license issued in this or any other state.
- A pharmacy dispenses a Schedule II designated product to a patient beyond the 72 hour limit three or more times in any 12 month period.
- A pharmacy is late returning Official Triplicate Prescription Blanks or Pharmacy Inventory Control forms to the Department three or more times during any 12-month period.
- A prescriber uses an Official Triplicate Prescription Blank instead of a Drug Enforcement Administration 222 Narcotic Order Form to obtain office medication stock.
- A prescriber or a pharmacist dispenses a Schedule I controlled substance to a patient.
- A prescriber knowingly fails to report lost or stolen Official Triplicate Prescription Blanks.
- A prescriber maintains a drug dependent person without proper authorization pursuant to Section 312(h) of the Act ~~Ill. Rev. Stat. 1983 ch. 56-1/2, par. 1312(h)~~.
- A pharmacist refills any Schedule II prescription.
- It is determined that on three or more occasions in any 12 month period a prescriber has prescribed using Official Triplicate Prescription Blanks issued to others.
- A prescriber fails to provide an Official Triplicate Prescription Blank to a pharmacy within 72 hours after issuing an emergency order for a Schedule II designated product.
- A prescriber issues prescriptions on expired Official Triplicate Prescription Blanks three or more times during any 12-month period.
- A pharmacist fills prescriptions for Schedule II designated products that have been issued on expired Official Triplicate Blanks three or more times in any 12-month period.

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- t) A pharmacist fails to provide the Department with a Pharmacy Inventory Control form for a Schedule II product that was dispensed pursuant to an order of an out-of-state prescriber or exempt Federal practitioner.
- u) A prescriber makes payment for Official Triplicate Prescription Blanks with a check or money order that is uncollectable.
- v) A pharmacist makes payment for Pharmacy Inventory Control forms with a check or money order that is uncollectable.
- w) A prescriber reports more than one theft per year of Official Triplicate Prescription blanks.
- x) The Triplicate Prescription Control Section detects an irregularity or violation in processing an Official Triplicate Blank, (e.g. stolen, forged, or altered prescription).
- y) The Triplicate Prescription Control Section determines that a Schedule II designated product prescription does not exhibit the principle of "good faith" in prescribing or dispensing as set forth in Ill. Rev. Stat. 1983 ch. 56-1/2 Section 102(u) of the Act.

(Source: Amended at Ill. Reg. _____, effective _____)

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1) Heading of the Part: Acquisition, Management and Disposal of Real Property

2) Code Citation: 44 Ill. Adm. Code 5000

3) Section number: Proposed Action:

5000.900	New
5000.910	New
5000.920	New
5000.930	New
5000.940	New
5000.950	New
5000.960	New
5000.970	New

4) Statutory Authority: Implementing and authorized Ill. Rev. Stat. 1991, ch. 127, pars. 63b13.24, et seq.)

5) A Complete Description of the Subjects and Issues Involved:

Establish procedures for use of State-owned buildings under the management of the Department of Central Management Services for public demonstrations, exhibits and special events.

6) Will this proposed amendment replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

John Peters
710 Stratton Office Building
Springfield, IL 62706
(217) 524-4444

12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

The full text of the Proposed Amendment begins on the next page.

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TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND
PROPERTY MANAGEMENTSUBPART E: UTILIZATION OF SPACE
(STATE OWNED AND LEASED PROPERTIES)

SUBTITLE D: PROPERTY MANAGEMENT

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 5000

ACQUISITION, MANAGEMENT AND DISPOSAL OF REAL PROPERTY

Notice of DCMS of Relinquishment or Termination of Space

SUBPART A: GENERAL

SUBPART F: EXCESS REAL PROPERTY

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5000.110
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Authority
Policy
Applicability

SUBPART B: LEASED SPACE ACQUISITION POLICY

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General Policy and Responsibility
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Acquisition Authority
Acquisition Procedures
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SUBPART C: BUILDING STANDARDS

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SUBPART D: ASSIGNMENT AND MANAGEMENT OF SPACE

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Assignment and Management by DCMS
Assignment by Agencies
Reviews and Appeal of Space Assignment Actions
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Excess Real Property Defined
Reports of Excess Real Property
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Charges for Use of Excess Property
Temporary Occupancy
Disputes
Non-State use

SUBPART G: SURPLUS REAL PROPERTY

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Surplus Real Property Defined
Declaration of Surplus
Reporting Surplus Real Property
Notice of Availability to State Agencies
State Agency Requests for Surplus Real Property
Transfer Decisions
Transfer Procedures
Transfer to Department of Central Management Services
Subsequent Disposal
Sale of Surplus
Notice of Sale to Local Governments
Local Government Offer to Purchase
Public Sale
Public Sale Procedures

SUBPART H: USE OF OFFICE BUILDINGS

Section
5000.900
5000.910
5000.920
5000.930
5000.940
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5000.960

Applicability
Definitions
Business Hours and Public Access
Prohibited Activities
Demonstrations
Exhibits and Special Events
Distribution of Leaflets and Solicitations of Funds, Voter
Registration and Signatures

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5000.970 Severability

APPENDIX A Space Standards

AUTHORITY: Implementing Section 7.1 of the State Property Control Act (Ill. Rev. Stat. 1991, ch. 127, par. 133b10.1), implementing and authorized by Sections 51, 67.02, 67.06, 67.07, 67.10-67.14, 67.22 and 67.24 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 51, 63b13.2, 63b13.6, 63b13.7, 63b13.10 - 63b13.14, 63b13.22 and 63b13.24) and authorized by Section 6 of the State Property Control Act (Ill. Rev. Stat. 1991, ch. 127, par. 133b9).

SOURCE: Adopted at 6 Ill. Reg. 12984, effective October 13, 1982; emergency amendment at 7 Ill. Reg. 3743, effective March 18, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 7825, effective June 22, 1983; emergency amendment at 8 Ill. Reg. 13444, effective July 17, 1984; codified at 8 Ill. Reg. 19345; amended at 10 Ill. Reg. 636, effective December 31, 1985; amended at 16 Ill. Reg. _____, effective _____.

SUBPART H: USE OF OFFICE BUILDINGS

Section 5000.900 Applicability

This Subpart is applicable to the use of the Peoria Regional Office Building, Springfield Regional Office Building, Champaign Regional Office Building, Marion Regional Office Building, East St. Louis Regional Office Building, Rockford Regional Office Building, State of Illinois Building, Office and Laboratory Building, Illinois State Armory, Central Computer Facility, Elgin Office Building, State of Illinois Center, Chicago Medical Central, Rockford Office Building and Maine Township High pursuant to Ill. Rev. Stat. 1991, ch. 127, par. 63b13.24.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 5000.910 Definitions

"Authorized Representative" means an employee of the Department authorized by the Director to act on his behalf.

"Building" or "Buildings" means the buildings named in Section 5000.900 of this Subpart.

"Building Manager" means the resident manager or engineer of the facility who is responsible for day to day operations of the facility.

"Commercial Activity" means an activity whose primary purpose is to obtain a profit for the benefit of an individual or business entity organized for profit.

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"Demonstration" means demonstrating, picketing, marching, rallying, selling non-commercial printed matter or materials, moving in procession, holding of vigils, and all other forms of public demonstrative activity that involve the communication or expression orally or by conduct of views or grievances engaged in by one or more persons, the conduct of which has the effect, intent, or propensity to draw a crowd of onlookers within 100 feet of the buildings named in Section 5000.900 of this Subpart. Demonstration shall also mean demonstrating, parading, picketing, speechmaking, holding of vigils, sit-ins or other activities conducted for the purpose of demonstrating approval or disapproval of governmental policies or practices (or the lack thereof), expressing a view on public issues or bringing into public notice any issue or other matter.

"Department" means the Department of Central Management Services.

"Director" means the Director of the Department of Central Management Services.

"Exhibits" means a static display of material including, but not limited to art work, photographs, or historical displays.

"Grounds" shall mean the grass area, garden areas, outside areas of the building and all parking areas of the building.

"Interfere" or "Interference" shall mean the type of conduct which its nature tends to hinder, disrupt or obstruct the orderly function of the official enterprises being carried on in the building.

"Special Events" means an activity involving a non-state entity including but not limited to corporations, not-for-profit organizations, private individuals or groups and takes place after normal business hours or on weekends or holidays. State agency functions other than normal duties and State agency sponsored functions are also considered special events.

"Structure" shall mean anything built by any person or persons of any material for purposes of display, residence or as part of a demonstration. This term shall not refer to anything built pursuant to a state contract for construction, remodeling, or repair of any State property or a building defined in Section 5000.900.

"Security Personnel" means the CMS Police, contractual security guards, local, county or Illinois State Police.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 5000.920 Business Hours and Public Access

- a) The public business hours of the SOIC are 6:30 a.m. to 6 p.m. Monday through Friday, and 10 a.m. to 4 p.m. Saturday, Sundays and

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holidays. The public business hours of the other Buildings are 7 a.m. to 6 p.m. Monday through Friday, except holidays declared by the Governor pursuant to Section 18 of the Civil Administrative Code of Illinois (11. Rev. Stat. 1991, ch. 127, par. 18).

- b) Entrance to any building during other than the times stated in subsection (a) of this Section is prohibited, except for the following persons who shall be admitted to office areas assigned to them for their use in carrying out their official duties:

- 1) member of the General Assembly;
- 2) employees of the General Assembly;
- 3) employees of the executive departments whose offices are in the building;
- 4) any authorized maintenance, repairer, contractor or other service employee, while performing duties which have been arranged for by the Department of Central Management Services; and
- 5) any person who is specially requested to enter into any building or office by an authorized individual listed in subsection (b)(1) to (4) of this Section.

- c) Proper identification of all persons such as a press pass, government identity card, a driver's license or other document which shows the identity of the person, may be demanded by security personnel, and all persons will be required to sign in and out of a building after 6 p.m. and before 7 a.m. Only one entrance shall be open after the public business hours. Factors to be considered in which identification may be requested include, but are not limited to: the security guard does not recognize the individual; the behavior of the individual and accessibility to office areas, work areas and restricted access areas.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 5000.930 Prohibited Activities

- a) No animals, except guide dogs to assist handicapped persons, shall be permitted in the buildings.
- b) No person or organization shall camp, erect a tent, monument (except as authorized by the Department to commemorate a deceased public official or a historical event), structure, portable toilet, platform, sign or similar device on the grounds of or within the buildings except as provided in subsection (f) of this Section.

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- c) No person or organization shall block, obstruct, or impede any doorway, stairway, corridor, escalator, elevator, convenience or facility in the Building.

- d) No posters or signs may be carried above the first floor of the Buildings except with permission of the Building Manager or security personnel. No sticks, poles or laths may be used to carry any sign or placard into the buildings. No chains or ropes may be carried into the buildings, except by authorized worker and State employees, without the permission of the Building Manager.

- e) No person or group of persons shall use any electronic loudspeaker, bullhorn or other amplifying device within the buildings or grounds, unless prior permission from the Building Manager or security personnel is obtained.

- f) No signs, posters, stickers or decals for demonstration purposes may be affixed in any way to the walls, railings, floors or ceilings of the buildings. No displays or structures (including tents) in the buildings or on the grounds may be erected without the permission of the Department pursuant to Section 5000.940. Permission shall be granted only if the display structure is part of symbolic expression in the exercise of free speech guaranteed by the First Amendment to the United States Constitution and Article I, Sections 4 and 5 of the 1970 Illinois Constitution.

- g) The display of commercial signs, placards, or other forms of advertisement, or the sale, display, or vending of commercial products or articles in the buildings or on the grounds is prohibited, except pursuant to contract with the State.

- h) The noise level from demonstrators, picketers, and protesters of any group or groups, or as individuals within the Building shall not exceed a decibel level of 85dB(A). If the noise level from these persons exceeds this limit, the Building Manager or other authorized representatives shall direct all persons to decrease the noise or to reduce the numbers of people within the Building to lower the noise level to the specified level, which shall not exceed 85dB(A).

- i) No person or organization shall damage, destroy, remove, deface, defile, tarnish, or injure in any way State property within the buildings or on the grounds thereof. All persons and organizations engaging in this type of prohibited activity will be responsible for all costs, expenses, damages, and liability resulting from their own actions or the actions of persons or organizations controlled or directed by them at the time of the damage to State property.

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- 1) Any violation of the prohibited activities listed in paragraphs (c) through (i) or failure to follow requests of security personnel may result in individuals or groups being removed from the premises.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 5000.940 Demonstrations

- a) The holding or conducting of any demonstration, public meeting, gathering, or parade on or in the buildings or their grounds is prohibited unless a permit for such activity is issued by the Department or its authorized representatives. A written request addressed to the Building Manager must be submitted at least 48 hours in advance of such an event, unless the requester can show by the preponderance of the evidence, that the cause or reason for the requested demonstration, meeting, gathering or parade was not known, contemplated, reasonably foreseeable, or resulted from changed circumstances, not in existence within those 48 hours. No such request shall take precedence over an activity which was previously scheduled and approved by the Department, unless approved by the Department.

- b) The written request shall state the name of the individual, organization, corporation, association, society, fraternity, sorority, club, or group of whatever kind or nature seeking to use the building or the grounds. The request shall also list the names and addresses of all officers or leaders, the particular facility desired to be used, the dates and times sought, equipment to be used, or supplied, and the estimated number of the participants.

- c) Any group seeking a permit hereunder that will have 100 or more participants at any demonstration shall have one marshal per 25 participants. Marshals will be identified by insignia supplied by the Building Manager or security personnel. The marshals' duties shall include making certain, to the best of his/her ability under the circumstances, that the conditions of the permit are met, that compliance with the rules occurs, that the demonstration remains peaceful and orderly and the participants remain within the physical boundaries of the permit.

- d) The Department or its authorized representatives will issue a permit to an applicant unless they find that the intended activity will:

- 1) Unreasonably interfere with the movement of vehicular traffic in the parking lots of the buildings, loading docks or persons within the buildings or on the grounds;

- 2) Not occur in the area designated and will create or cause a health and/or safety hazard and will impede substantially the

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performance of public business or the retail businesses in the SOIC to be conducted in the area:

- 3) Endanger the health and safety of the permit applicants or other persons;

- 4) Be a commercial activity; or

- 5) Conflicts in date, time, and place with a previously scheduled activity of another applicant or a government agency unless approved by the Building Manager.

- 6) Be an unreasonable risk of damage to State property, buildings or grounds.

- e) A permit issued by the Department of Central Management Services to hold a demonstration at a building does not allow the individuals or groups to engage in any activity prohibited by Section 5000.930. Failure to cease a prohibited activity may result in individuals or groups being removed from the premises by security personnel.

- f) Applicants denied a permit may modify their request to meet the objection and concerns of the Building Manager and may resubmit their application for consideration.

- g) A written request in letter form addressed to the Building Manager shall be considered an application. A written response from the Department or its authorized representative approving part or all of the application shall be considered the permit. The written response shall state if applicable the reasons for denying in whole or in part the request. The Department or its authorized representative is required to show that an unreasonable interference or prohibited activity will occur or is occurring when they deny the request in whole or in part.

- h) A person or organization denied a permit in whole or in part, may appeal the denial to the Director of the Department of Central Management Services. The appeal must be submitted at least 24 hours prior to the time of the requested demonstration to allow the Director time within which to consider and decide the appeal. The Director's decision shall be in writing, and shall be made at least 2 hours prior to the requested demonstration's time of starting.

- i) Demonstrations at the buildings listed in Section 5000.900 may only be held during normal business hours. No demonstrators will be allowed in the building before it is open to the public and all demonstrators and material must be removed at the close of the business day. Failure to vacate the premises will be grounds for security personnel to remove all demonstrators and their material from the building.

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Violations of the provisions of the permit issued by the Department of Central Management Services will also be grounds for removal from the premises. Any exemption from the provisions of this paragraph must be approved by the Director.

(Source: Added at 16 Ill. Reg. _____, effective _____)
Section 5000.950 Exhibits and Special Events

- a) All organizations that are permitted to use the buildings specified in Section 5000.900 of this Subpart shall be required to execute an agreement to indemnify the State from any injury or damage caused by their members' or participants' negligence or willful misconduct. The members or participants who cause the damage or injury are primarily responsible. Such organization shall also restore the used areas to their pre-use appearance and condition, less reasonable wear and tear, and the Building Manager shall be the final decision-maker on the clean-up of the used area. This subsection only applies to those organizations receiving permission from the Department to use the specified buildings for meetings or parties.
- b) Special Events and exhibits at the buildings may be requested up to one year in advance of the date for the special event or exhibits. Requests must be in writing and submitted to the Building Manager. All requests for special events and exhibits will be filled on a first-come first-served basis. A letter of confirmation or rejection will be mailed within ten (10) working days.
- c) The areas available for Special Events at the SOIC are the concourse level, atrium level, assembly hall, outdoor plaza and covered arcade, conference/hearing rooms and agency office areas with permission of the agency. Exhibits are allowed only in the atrium lobby level of the SOIC unless permission is granted to use another part of the building by the Department. Exhibits may not promote religious philosophies or political candidates or philosophies.
- d) Organizations wishing to use the buildings should contact the Building Manager for the applicable fee for the space they intend to use at a building. The Building Manager or office will maintain a fee schedule for the building. All payments are due at least ten (10) working days prior to the event or exhibit, with the exception of clean-up fees which are due within ten (10) working days of billing. All payments shall be made to the Office of the Building.
- e) Film crews and photographers for commercial purposes are permitted at the SOIC with permission of the Building Manager. Any fee required is handled by the Office of the Building.

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- f) The group sponsoring the event must provide proof of insurance in an amount acceptable to the Department ten (10) working days prior to the event. Failure to provide proof is cause for termination of the lease. Further information on any insurance requirement is available from the Building Manager.
 - g) A signed copy of the lease agreement at the SOIC with the base rental fee is due at least ten (10) working days prior to the event except in cases of emergencies, at the SOIC Office of the Building.
 - h) A minimum of one planning meeting must be held with the Building Manager or their representative at least one week prior to the event.
 - i) All food and beverage services for SOIC special events must be provided in accordance with the terms of the Department's commercial space master lease. Further information is available from the Office of the Building. Food and beverage service at other buildings must be coordinated with the Building Manager.
 - j) Displays may not exceed 8 feet in height or block entrances, fire exits and hallways and must comply with all fire code and regulations. They may not obscure the view of Atrium Mall shops at the SOIC during business hours.
 - k) The State does not supply equipment, set-up personnel, storage, special security or insurance. These must be provided by the exhibitor. The State accepts no responsibility for loss or damage to any part of an exhibit.
- (Source: Added at 16 Ill. Reg. _____, effective _____)
- Section 5000.960 Distribution of Leaflets and Solicitations of Funds, Voter Registration and Signatures
- a) No organization, including charitable organizations and political parties or candidates, shall distribute leaflets to, register voters, obtain signatures or solicit and collect funds from persons entering or in the buildings specified in Section 5000.900, except from public sidewalks.
 - b) No such distribution or solicitation shall be allowed in any automobile parking area under the control of the Department within business areas in the buildings specified in Section 5000.900 of this Subpart.
 - c) Activities included in subsection (a) of this Section shall not be allowed without the written permission of the Department.

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NOTICE OF PROPOSED AMENDMENTS

- d) All requests to engage in such activity must be submitted in writing at least 48 hours in advance of the activity to the Building Manager, unless the criteria for requests within less than the 48 hours set forth in Section 5000.940 of this Subpart are met.
- e) Organizations requesting authorization for activities listed in subparagraph (a) must put the request in writing per subparagraph (d) of this section. The request shall state the name of the organization, time and beginning and ending dates of the activity.
- f) The organization must provide a sign 12" x 12" posted at the table, identifying the organization and that there is no affiliation with the State of Illinois. Each person engaged in activities approved by the Department must wear a badge containing the individual and organizational names. The organization and its members agree they will not approach, harass, or attempt to compel the public in any activity approved by the Department under subparagraph (a). They also agree to stay in the area designated by the Department and shall not interfere with the business being conducted at the building. The organization and its members, shall not engage in any partisan activity, nor shall they advocate for a political party, candidate or issue. No material shall be distributed by the organization unless approved by the Department. Deviations from the requirements of this subparagraph must be approved in advance of the activity by the Department. Failure to follow the rules may result in the organization being removed from the premises and permission being denied to continue the activity.

(Source: Added at 16 Ill. Reg. _____, effective _____)

Section 5000.970 Severability

If any part of these rules shall be held by a court of competent jurisdiction to be invalid, such holding shall not effect the remaining parts hereof.

(Source: Added at 16 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) Section number: Proposed Action:
302.150 Amendment
302.325 New Section
- 4) Statutory Authority: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, pars. 63b101, et seq.)
- 5) A Complete Description of the Subjects and Issues Involved:
This provision will recognize an "Intermittent" employment status where an employee is hired on a basis that varies from the normal work schedule for the agency, for an indefinite period, with the employing agency identifying its staffing need and making work schedule arrangements with the employee.
- 6) Will this proposed amendment replace an emergency rule currently in effect? Yes.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? Yes.

Section Number Proposed Action Ill. Reg. Citation
Section 302.822 Amendment 16 Ill. Reg. 8675

- 10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669

- 12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appear in this issue of the Register on page 11646.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Small Business Impact Analysis Procedures
- 2) Code Citation: 1 Ill. Adm. Code 300
- 3) Section Numbers: Proposed Action:
 300.100 Amendment
 300.200 Amendment
 300.300 Repeal
 300.400 Amendment
 300. Appendix A Repeal
- 4) Statutory Authority: Implementing Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001-75 and 1005-30) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42).
- 5) A Complete Description of the Subjects and Issues Involved: A recent amendment to the Illinois Administrative Procedure Act (P.A. 87-823, effective July 1, 1992) has made it necessary for the Department of Commerce and Community Affairs (department) to amend its rules for the analysis of administrative rulemakings' effect on small businesses. Agencies are no longer required to notify the department when their proposed rulemaking affects small businesses. In accordance with P.A. 87-823, the Secretary of State will instead be forwarding a copy of all proposed rulemakings to the department's Business Development Bureau (formerly the Small Business Assistance Bureau). Therefore, Section 300.300, which specifies procedures for agencies to notify the department, and Section 300. Appendix A, which provides the Business Impact Analysis form used for notification, are no longer necessary and are being repealed.
- The definitions (Section 300.200) are being revised. The definition of "business" has been deleted and the definition of "small business" has been revised. P.A. 87-823 provides a separate definition for "not for profit corporation" and the changes in the definition of "small business" serve to exclude not for profits from the small business impact analysis process. A definition of "interested person" has been added as a result of P.A. 87-823, which now allows interested persons, in addition to the Joint Committee on Administrative Rules, to request an impact analysis on rulemaking.
- Amendments to Section 300.100 (Purpose) and 300.400 (Analysis Procedures) have also been revised to reflect changes brought about by the Public Act.
- 6) Will these proposed amendments replace an emergency rule currently in effect? No.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED AMENDMENTS

- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporations by reference? No.
- 9) Are there any proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203).
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:
- Mr. Norman Sims, Deputy Director
 Department of Commerce and Community Affairs
 Office of Policy Development, Planning & Research
 620 East Adams Street, 3rd floor
 Springfield, Illinois 62701
 (217) 524-4845
- 12) Initial Regulatory Flexibility Analysis:
- The changes in the proposed rules do not affect small business; rather modify department procedures and definitions pursuant to P.A. 87-823. This Part already describes the Bureau's role as a small business advocate and therefore, its existing positive impact on small businesses is not altered. This Part will have no effect on small municipalities.

The full text of the Proposed Amendments begins on the next page:

CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

TITLE 1: RULES AND RULEMAKING

SMALL BUSINESS IMPACT ANALYSIS PROCEDURES

PART 300

Section	Purpose
300.100	Definitions
300.200	Procedures (Repealed)
300.300	Review Analysis Procedures
300.400	Business Impact Analysis (Repealed)

AUTHORITY: Implementing Sections 1-75 and 5-30 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001-75 and 1005-30) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42).

SOURCE: Adopted at 13 Ill. Reg. 8407, effective May 18, 1989; amended at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 300.100 Purpose

Pursuant to Section 4-03(e) 5-30 of the Illinois Administrative Procedure Act (Act) (Ill. Rev. Stat. 1989, ch. 127, par. 1004-03(e) 1005-30), the Small Business Assistance-Business Development Bureau (Bureau) of the Department of Commerce and Community Affairs (Department) has the responsibility of preparing an impact analysis on any proposed rulemaking that will have an impact on small businesses. This Part serves to establish guidelines which govern the agencies' compliance with and the Department's implementation of this provision of the Act.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 300.200 Definitions

"Business" means a legal entity in Illinois including, but not limited to, any sole proprietorship, partnership, corporation, joint venture, association or cooperative.

"Impact" is the effect on small businesses resulting from rules and regulations rulemaking implemented by a state agency. This includes but is not limited to rules rulemaking pertaining to licensing/registration/permitting and grant/loan application processes.

"Interested person" is an association representing at least 100

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interested persons, the Governor, a unit of local government, or a total of 25 or more requests from individuals.

"Issuing agency" is that agency proposing rules and regulations rulemaking.

"Recordkeeping" is that information which must be recorded and maintained by the business in order to comply with rules and regulations.

"Reporting requirement" is any information that a business must submit to an issuing agency or any other agency as required in the rules.

"Small business" is any for profit entity, as defined under "business", independently owned and operated, not dominant in its field, which grosses less than four million dollars per year or employs fewer than fifty full-time employees. Two part-time employees equal one full-time employee. For purposes of a specific rule, an agency may define small business to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations. A business is considered dominant in its field if it is the only business in Illinois engaged in that particular activity.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 300.300 Procedures (Repealed)

a) in accordance with Section 4-03(e) of the Act, when a state agency proposes a new rule, or an amendment to an existing rule, which has an impact on any business, the agency shall notify the Small Business Assistance Bureau of the Department of Commerce and Community Affairs. This notification shall be made prior to or at the same time the proposed rule is submitted to the Administrative Code Division of the Secretary of State for publication in the Illinois Register. The notification shall include a complete copy of the proposed rulemaking as it is to be published in the Illinois Register, and a business impact analysis (Appendix A) which includes, to the best of an agency's knowledge:

- a description of the types of small businesses subject to the rule;
- an estimate of the number of total businesses impacted by the proposed rulemaking and an estimate of the economic impact per business in dollars;

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- 3) a synopsis of any increase or decrease in record reporting requirements; --- criteria --- requirements --- or operational activity to be imposed on businesses as a result of the proposed rulemaking including a copy of any form(s) referenced in the proposed rules; and
- 4) a description of the type(s) of professional personnel or skills necessary for implementation or compliance.
- b) The information required by subsection(a) shall be submitted in the form shown in Appendix A of this Part.
- c) In the event the notification of proposed rulemaking fails to include the information required by this Section, the Small Business Assistance Bureau will so notify the issuing agency and request the information be submitted.

(Source: Repealed at 16 Ill. Reg. _____, effective _____)

Section 300.400 Review Analysis Procedures

- a) Upon receipt of the information required by Section 300.300, the Small Business Assistance Bureau shall determine the impact on small business of the proposed rulemaking and prepare an impact analysis describing the effect on small businesses. The Secretary of State shall provide the Bureau with a copy of all proposed rulemakings. Whenever the Bureau believes that an analysis is warranted or whenever requested to do so by the Joint Committee on Administrative Rules (JCAR) or an interested person, the Bureau shall prepare an impact analysis.
- b) The impact analysis may include information obtained from, but not limited to, the following:
 - 1) data information services;
 - 2) business associations;
 - 3) business community;
 - 4) meetings or hearings held by others regarding proposed rulemaking;
 - 5) technical specialists in the appropriate field; and
 - 6) issuing agency.

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- c) The impact analysis shall be completed within forty-five days of the date of publication of the rule in the Illinois Register or within the first notice period. The analysis shall include the following:
 - 1) A SUMMARY OF THE PROJECTED REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS OF THE PROPOSED RULE.
 - 2) A DESCRIPTION OF THE TYPES AND AN ESTIMATE OF THE NUMBER OF SMALL BUSINESSES TO WHICH THE PROPOSED RULE WILL APPLY.
 - 3) AN ESTIMATE OF THE ECONOMIC IMPACT WHICH THAT THE REGULATION WILL HAVE ON THE VARIOUS TYPES OF SMALL BUSINESSES AFFECTED BY THE RULEMAKING.
 - 4) A DESCRIPTION OF OR A LISTING OF ALTERNATIVES TO THE PROPOSED RULE WHICH THAT WOULD MINIMIZE THE ECONOMIC IMPACT OF THE RULE. SUCH THE ALTERNATIVE ALTERNATIVES MUST BE CONSISTENT WITH THE STATED OBJECTIVES OF THE APPLICABLE STATUTES AND REGULATIONS (Section 4-03 5-30(c)(1) - (4) of the Act).
- d) Pursuant to Section 4-03(e) 5-30(c) of the Act, the Small Business Assistance Bureau shall submit a copy of the impact analysis in writing to the issuing agency, and ANY INTERESTED PERSON WHO REQUESTED AN ANALYSIS, and the Joint Committee on Administrative Rules JCAR during the first notice period.
- e) The Department retains the right, under its general policy of advocating for small businesses, to review any proposed rulemaking published in the Illinois Register which it determines may impact small businesses, regardless of notification by an issuing agency or request by the Joint Committee on Administrative Rules, in such cases, the Department will notify the issuing agency that an impact analysis will be prepared with no action required on the part of the issuing agency.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

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Section 300 Appendix A Business Impact Analysis (Repealed)

Agency: -----Contact Person: -----

Heading of the Part: -----

Administrative Code Citation: -----

1: What do you perceive to be the overall economic impact on businesses that will be regulated by the proposed rulemaking?

Please check: Positive ----- Negative ----- No impact -----

2: If known, specify the:

A: total number of businesses impacted: -----

B: approximate economic impact per business in dollars \$ -----

C: types of small businesses impacted by the proposed rule: -----

D: description of the type(s) of professional personnel or skills necessary for implementation or compliance: -----

3: Will the proposed rules result in a change in existing license fees, reporting requirements, recordkeeping requirements, etc.? Please explain any increase, decrease, or change:

4: If there are new reporting requirements, how often must they be completed (daily, weekly, monthly, etc.)? -----

5: Were any alternatives considered to minimize the burden on small businesses? Yes ----- No -----

If yes, please describe the alternatives considered and if they were rejected explain why:

If your agency maintains a list of regulated entities impacted by these proposed rules, or if you can provide any additional information, including a copy of any form(s) referenced in the proposed rule, please attach and submit with this form to:

BCEA
Small Business Assistance Bureau
Manager, Office of Regulatory Flexibility and Legislative Research
100 W. Randolph St., Suite 3-409
Chicago, Illinois 60601

(Source: Repealed at 16 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Aid to Families with Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Number: 112.138
Proposed Action: Repeal
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Senate Bill 1783.
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments, which are also being adopted on an emergency basis effective July 1, 1992, eliminate Transitional Payments under the Aid to Families with Dependent Children program. These payments supplement grants when the grant amount for the month has been determined by retrospective budgeting and the source of income budgeted has since ceased or been substantially reduced. These supplemental payments are not federally matched nor are they federally mandated. The elimination of Transitional Payments is expected to reduce Department expenditures in Fiscal Year 1993 by approximately \$3.9 million.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Section	Proposed Action	Illinois Register Citation
112.70	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.71	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.72	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.74	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.78	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.79	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.82	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.110	Amendment	November 15, 1991 (16 Ill. Reg. 16596)
112.400	Amendment	November 15, 1991 (16 Ill. Reg. 16596)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umuna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.
- 12) Initial Regulatory Flexibility Analysis:
- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 11654.

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- 1) Heading of the Part: General Assistance
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Number:
- | | |
|---------|-----------|
| 114.1 | Amendment |
| 114.2 | Amendment |
| 114.351 | Amendment |
| 114.352 | Amendment |
| 114.353 | Amendment |
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Senate Bill 1783.
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments, which are also being adopted on an emergency basis effective July 1, 1992, eliminates Transitional Assistance payments for employable adults and continues the reduction in General Assistance payment levels which was implemented on February 1, 1992. Effective July 1, 1992, Transitional Assistance payments will continue to be provided to individual adults determined to be not employable. The elimination of employable adults from the Transitional Assistance Program is expected to reduce Department expenditures in Fiscal Year 1993 by approximately \$76 million. Continuing the reduction in General Assistance payment levels is expected to reduce Department expenditures in Fiscal Year 1993 by \$5.9 million.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Section	Proposed Action	Illinois Register Citation
114.128	Amendment	March 20, 1992 (16 Ill. Reg. 4216)
114.135	New Section	March 20, 1992 (16 Ill. Reg. 4216)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data,

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DEPARTMENT OF PUBLIC AID
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views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umuna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page 11664.

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: . 89 Ill. Adm. Code 240
- 3) Section Numbers: Adopted Action:
240.655 Amendments
- 4) Statutory Authority: Ill. Rev. Stat. 1991, Ch. 23, Sections 6104.01(4), (9), (11), and (12); 6104.02, 6104.03, and 6105.02
- 5) Effective Date of Amendment(s): June 30, 1992
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☒ X No ☐
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 30, 1992
- 9) Notice of Proposal Published in Illinois Register:
October 11, 1991: 15 Ill. Reg. 14335
(issue date)
- 10) Has JCAR issued a Statement of Objections to this (these) amendment(s)? No
- 11) Difference(s) between proposal and final version:

The following changes have occurred between the proposal and final version of this rulemaking:

TABLE OF CONTENTS:

Section 240.400
Section 240.415
Section 240.430
Section 240.435
Section 240.720
Section 240.725
Section 240.800
Section 240.810
Section 240.825
Section 240.855

NOTICE OF ADOPTED AMENDMENTS

"EMERGENCY" has been added directly below these Section cites.

Section 240.726 has been added.

AUTHORITY NOTE:

The date of "1989" with respect to the Ill. Rev. Statutes has been updated to "1991".

SOURCE NOTE:

*emergency amendments at 15 Ill. Reg. 14335, effective October 1, 1991, for a maximum of 150 days;" has been deleted and "emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days;" has been added and inserted in its place; and updated to include "emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments modified and reinstated at 16 Ill. Reg. 2943; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992;" has been added and inserted immediately following "emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days;"

The following changes have been made in response to comment(s) received during the first notice period:

Section 240.655:

Subsection 240.655 a):

The first sentence "(a) annual redeterminations shall be accomplished within thirty (30) calendar days prior to, but not later than, the annual due date." has been deleted in its entirety. In addition, "thirty (30)" has changed to "30".

Subsection 240.655 b):

NOTICE OF ADOPTED AMENDMENTS

"thirty (30)" has been changed to "30".

Subsection 240.655 c):

"thirty (30)" has been changed to "30".

Subsection 240.655 c)1):

"seven (7)" has been changed to "7".

Subsection 240.655 c)2):

"thirty (30)" has been changed to "30".

Subsection 240.655 d):

"thirty (30)" has been changed to "30".

Subsection 240.655 f):

"fifteen (15)" has been changed to "15".

- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement was necessary to resolve Committee questions.

- 13) Will this amendment replace an emergency amendment currently in effect? Yes

- 14) Are there any proposed amendments pending on this Part? Yes

Section Numbers:	Proposed Action:	Illinois Register:
240.1600	Amendment	16 Ill. Reg. 4087
240.1605	Amendment	16 Ill. Reg. 4087
240.1610	Amendment	16 Ill. Reg. 4087
240.1620	Amendment	16 Ill. Reg. 4087
240.1625	Amendment	16 Ill. Reg. 4087
240.1630	Amendment	16 Ill. Reg. 4087
240.1635	Amendment	16 Ill. Reg. 4087
240.1640	Amendment	16 Ill. Reg. 4087
240.1645	Amendment	16 Ill. Reg. 4087
240.1650	Amendment	16 Ill. Reg. 4087
240.1655	Amendment	16 Ill. Reg. 4087
240.1660	Amendment	16 Ill. Reg. 4087
240.1665	Amendment	16 Ill. Reg. 4087
240.1661	New Section	16 Ill. Reg. 5083

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Amendment(s):

These amendments are being adopted to allow the Department to extend time frames as needed to complete reviews of client care plans, thereby ensuring that the limited resources of the program are distributed equitably and distributed most specifically to those elderly in the greatest economic and social need pursuant to Departmental rule requirements and statutory mandates.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Mary J. Mayes
Policy and Rules Analyst
Illinois Department on Aging
421 East Capitol Avenue
Springfield, IL 62701
Telephone: (217) 785-3357

The full text of the Adopted Amendment(s) begins on the next page:

DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGINGPART 240
COMMUNITY CARE PROGRAM

SUBPART A: GENERAL PROGRAM PROVISIONS

Section	
240.100	Community Care Program
240.110	Department Prerogative
240.120	Services Provided
240.130	Maintenance of Effort
240.140	Program Limitations
240.150	Completed Applications Prior to August 1, 1982 (Repealed)
240.160	Definitions

SUBPART B: SERVICE DEFINITIONS

Section	
240.210	Homemaker Service
240.220	Chore-Housekeeping Service
240.230	Adult Day Care Service
240.240	Information and Referral
240.250	Demonstration/Research Projects
240.260	Case Management Service
240.270	Alternative Provider
240.280	Individual Chore-Housekeeping Provider

SUBPART C: RIGHTS AND RESPONSIBILITIES

Section	
240.300	Applicant/Client Rights and Responsibilities
240.310	Right to Apply
240.320	Nondiscrimination
240.330	Freedom of Choice
240.340	Confidentiality/Safeguarding of Case Information
240.350	Applicant/Client/Authorized Representative Cooperation
240.360	Reporting Changes
240.370	Voluntary Repayment

SUBPART D: APPEALS

Section	
240.400	Appeals and Fair Hearings
EMERGENCY	
240.405	Representation

DEPARTMENT ON AGING

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240.410	When the Appeal May Be Filed
240.415	What May Be Appealed
EMERGENCY	
240.420	Group Appeals
240.425	Informal Review
240.430	Informal Review Findings
EMERGENCY	
240.435	Withdrawing an Appeal
EMERGENCY	
240.440	Examining Department Records
240.445	Hearing Officer
240.450	The Hearing
240.455	Continuance of the Hearing
240.460	Postponement
240.465	Dismissal Due to Non-Appearence
240.470	Rescheduling the Appeal Hearing
240.475	Recommendations of Hearing Officer
240.480	The Appeal Decision
240.485	Reviewing the Official Report of the Hearing

SUBPART E: APPLICATION

Section	
240.510	Application for Community Care Program
240.520	Who May Make Application
240.530	Date of Application
240.540	Statement to be Included on Application

SUBPART F: ELIGIBILITY

Section	
240.600	Eligibility Requirements
240.610	Establishing Eligibility
240.620	Home Visit
240.630	Determination of Eligibility
240.640	Eligibility Decision
240.650	Continuous Eligibility
240.655	Frequency of Redeterminations
EMERGENCY	
240.660	Extension of Time Limit

SUBPART G: NON-FINANCIAL REQUIREMENTS

Section	
240.710	Age
240.715	Determination of Need
240.720	Clients Prior July 1, 1990

DEPARTMENT ON AGING
NOTICE OF ADOPTED AMENDMENTS

EMERGENCY
240.725 Maximum Payment Levels for Service
EMERGENCY
240.726 Emergency Budget Act Reduction
EMERGENCY
240.730 Plan of Care
240.735 Supplemental Information
240.740 Assessment of Need
240.750 Citizenship
240.755 Residence
240.760 Furnishing of Social Security Number

SUBPART H: FINANCIAL REQUIREMENTS

Section
240.800 Financial Factors
EMERGENCY
240.810 Assets
EMERGENCY
240.815 Exempt Assets
240.820 Asset Transfers
240.825 Income
EMERGENCY
240.830 Unearned Income Exemptions
240.835 Earned Income
240.840 Potential Retirement, Disability and Other Benefits
240.845 Family
240.850 Monthly Average Income
240.855 Applicant/Client Expense for Care
EMERGENCY
240.860 Change in Income
240.865 Application For Medical Assistance (Medicaid)
240.870 Determination of Applicant/Client Monthly Expense for Care
240.875 Client Responsibility

SUBPART I: DISPOSITION OF DETERMINATION

Section
240.905 Prohibition of Institutionalized Individuals From
240.910 Receiving Community Care Program Services
240.915 Written Notification
240.920 Service Provision
240.925 Reasons for Denial
240.930 Frequency of Redeterminations (Renumbered)
240.935 Suspension of Services
Discontinuance of Services to Clients

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240.940 Penalty Payments
240.945 Notification
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SUBPART J: SPECIAL SERVICES
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240.1020 Interim Services
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SUBPART K: TRANSFERS

Section
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Section
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SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section
240.1310 Standard Contractual Requirements for Case Coordination Units and Vendors
240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
240.1330 General Vendor and CCU Responsibilities (Repealed)
240.1396 Payment for Services (Repealed)
240.1397 Purchases and Contracts (Repealed)
240.1398 Safeguarding Case Information (Repealed)
240.1399 Suspension/Termination of a Vendor or Case Coordination

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SUBPART N: CASE COORDINATION UNITS

Section
240.1400 Community Care Program Case Management
240.1410 Case Coordination Unit Administrative Minimum Standards
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240.1430 Case Management Staff Positions, Qualifications and Responsibilities
240.1440 Training Requirements For Case Management Supervisors and Case Managers

SUBPART O: VENDORS

Section
240.1510 Vendor Administrative Minimum Standards
240.1520 Vendor Responsibilities
240.1530 General Homemaker Staffing Requirements
240.1535 Homemaker Staff Positions, Qualifications and Responsibilities
240.1540 General Chore-Housekeeping Staffing Requirements
240.1545 Chore-Housekeeping Staff Positions, Qualifications and Responsibilities
240.1550 Standard Requirements for Adult Day Care Vendors
240.1555 General Adult Day Care Staffing Requirements
240.1560 Adult Day Care Staff Positions, Qualifications and Responsibilities
240.1565 Adult Day Care Satellite Sites
240.1570 Adult Day Care Service Availability Expansion
240.1575 Adult Day Care Site Relocation
240.1580 Standards for Alternative Providers
240.1590 Standard Requirements for Individual Chore-Housekeeping Provider Services

SUBPART P: VENDOR PROCUREMENT

Section
240.1600 Vendor Procurement
240.1605 Procuring Vendor Services
240.1610 Procurement Cycle
240.1620 Issuance of Vendor Request for Proposal
240.1625 Content of Vendor Request for Proposal
240.1630 Criteria for Number of Chore-Housekeeping and Homemaker Vendor Contracts Awarded
240.1635 Evaluation of Vendor Proposals
240.1640 Notification of Vendor Awards

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Unit (CCU)

240.1645 Protest or Objection to Vendor Request for Proposal Award Determination
240.1650 Failure to Maintain Vendor Compliance to Contract
240.1655 Method of Identification of Type I, II and III Vendor Violations
240.1660 Vendor Compliance During Contract Period
240.1665 Contract Actions for Failure to Comply with Community Care Program Requirements

SUBPART Q: CASE COORDINATION UNIT PROCUREMENT

240.1710 Procurement Cycle For Case Management Services
240.1720 Case Coordination Unit Compliance Review

SUBPART R: ADVISORY COMMITTEES

Section
240.1800 Policy Advisory Committee
240.1850 Technical Rate Review Advisory Committee

SUBPART S: RATES

Section
240.1910 Establishment of Fixed Unit Rates
240.1920 Contract Specific Variations
240.1930 Fixed Unit Rates of Reimbursement for Chore-Housekeeping and Homemaker Services
240.1940 Fixed Unit Rates of Reimbursement for Adult Day Care Service and Transportation
240.1950 Adult Day Care Fixed Unit Reimbursement Rates
240.1960 Case Management Fixed Unit Reimbursement Rates

SUBPART T: FINANCIAL REPORTING

Section
240.2020 Financial Reporting of Chore-Housekeeping and Homemaker Services
240.2030 Unallowable Costs for Chore-Housekeeping and Homemaker Services
240.2040 Minimum Direct Service Worker Costs for Chore-Housekeeping and Homemaker Services
240.2050 Cost Categories for Chore-Housekeeping and Homemaker Services

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging (Ill. Rev. Stat. 1991, ch. 23, pars. 6104.02 and 6104.01(1)).

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838 effective, February 1, 1991 for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments at 16 Ill. Reg. 2630 effective February 1, 1992, for a maximum of 150 days; emergency amendments modified and reinstated at 16 Ill. Reg. 2943; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992.

NOTE: Bold faced type denotes statutory language.

SUBPART F: ELIGIBILITY

Section 240.655 Frequency of Redeterminations

Redetermination of eligibility for the Community Care Program shall be conducted by the Case Coordination Unit (CCU) at least annually; or whenever requested by the client/authorized representative; or whenever the client may have experienced a change in his/her needs that indicates the need for a redetermination to assure continued eligibility (refer to Section 240.630).

- a) ~~Annual redeterminations shall be accomplished within thirty (30) calendar days prior to, but not later than, the annual due date. A decision on the redetermination shall be made within thirty (30) calendar days from the date the redetermination process is begun, except as extended by the Department.~~
- b) Redeterminations conducted at the request of the client/authorized representative or whenever the client may have experienced a change in needs shall be accomplished and a decision rendered within ~~thirty (30)~~ calendar days from the date of the request for redetermination, except as extended by the Department.
- c) ~~The thirty (30) calendar day time limit for completion of a redetermination of a client's eligibility shall be extended by any delay caused by the client/authorized representative.~~
- 1) Client delay is defined as the number of calendar days a redetermination of eligibility is delayed because of the client's/authorized representative's failure to provide documentation supporting his/her eligibility within ~~seven (7)~~ calendar days from the date it is verbally requested by the CCU.
- 2) In the event that a client's eligibility cannot be determined due to the client's/authorized representative's failure to provide documentation, as specified above, within ~~thirty (30)~~ calendar days from the date it is verbally requested by the CCU, the CCU shall extend the time limit for an additional ~~thirty (30)~~ calendar days, after which services shall be terminated if documentation is not provided.
- d) The client shall maintain eligibility and services shall continue to be provided throughout the redetermination process unless the client/authorized representative delays the process beyond the additional ~~thirty (30)~~ calendar days specified in subsection (c) (2) above.
- e) Written notification to the client/authorized representative shall be made as required by Section 240.945.

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- f) Any change in services shall be initiated within ~~fifteen~~ ⁴⁵ calendar days from the date the written notice is mailed to the client/authorized representative, as required by Section 240.945.

(Source: Amended at 16 Ill. Reg. 11403, effective June 30, 1992)

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Animal Diagnostic Laboratory Act
- 2) Code Citation: 8 Ill. Adm. Code 110
- 3) Section Numbers: Adopted Action:
110.50 Amendment
110.80 Amendment
110.90 Amendment
110.110 Amendment
110.120 Amendment
- 4) Statutory Authority: Animal Disease Laboratory Act (Ill. Rev. Stat. 1991, ch. 8, par. 105.11).
- 5) Effective Date of Amendments: July 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this proposed amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: June 26, 1992
- 9) Notices of Proposal Published in Illinois Register: March 13, 1992; 16 Ill. Reg. 3624
- 10) Has JCAR issued a Statement of Objections to these rules?
No
- 11) Differences between proposal and final version:
In the Main Source Note, substituted the short title (the Animal Diagnostic Laboratory Act) for the long title of the Act.

In Section 110.50(b), line 4, amended to read: "additional animal. Poultry are exempt from the additional charge for each animal over four. If multiple tissue specimens are".

In Section 110.90(b) (7), added "Virus" after "Leukemia".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were requested.
- 13) Will this amendment replace an emergency amendment in effect? No
- 14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of Amendments:

After meeting with the University of Illinois in early 1991, it was decided that both laboratory systems needed to mutually raise many of the laboratory fees. Many of the increased fees are a result of this mutual agreement.

A "rush priority" fee and a fee for requests for service at a rate faster than the normal laboratory routine turnaround time have been established at double the normal rates. Such requests disrupt the normal routine of the laboratory and are costly to the laboratories.

Test are deleted that are no longer offered by the Department's laboratories.

Several new tests are added, which reflects the requests we have received from the industry for these types of tests.

Cremation and carcass disposal costs have increased which have necessitated establishing disposal fees and increasing cremation fees in accordance with the size of the animal. The disposal fee will be charged only when no laboratory tests have been performed, and the disposal fee will be in addition to any cremation costs. Occasionally, people will bring dead animals to the laboratory as a means of disposing of the carcasses.

The FAX fee has been changed to better reflect the actual costs of providing this service.

For "sending a sample out of state" a handling fee has been added to cover the costs associated with postage and preparation of the sample for mailing. Samples are sent out of state when veterinarians submit samples to the Department's laboratory for tests that we do not perform and when specimens must be sent to the U.S. Department of Agriculture's laboratory at Ames, Iowa, which has just initiated a fee system.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: Barbara McGuire
Address: Illinois Department of Agriculture
State Fairgrounds, Springfield,
Illinois 62794-9281
Telephone: 217/782-8362

The full text of Adopted Amendments begins on the next page.

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 110

ANIMAL DIAGNOSTIC LABORATORY ACT

Section	Definitions
110.10	Submitting Specimens
110.20	Payment For Laboratory Services
110.30	Tests Not Covered By Fee Schedule
110.40	Minimum Fees
110.50	Euthanasia Fees
110.60	Clinical Pathology Fees
110.70	Histopathology Fees
110.80	Microbiology Fees
110.90	Parasitology Fees
110.100	Toxicology Fees
110.110	Miscellaneous Fees
110.120	Meats Chemistry Fees
110.130	

AUTHORITY: Implementing and authorized by "AN ACT authorizing the Department of Agriculture to establish animal disease laboratories" the Animal Disease Laboratory Act (Ill. Rev. Stat. 1991 1999, ch. 8., par. 105.11).

SOURCE: Adopted and codified at 8 Ill. Reg. 9047, effective July 1, 1984; amended at 9 Ill. Reg. 4471, effective March 22, 1985; amended at 9 Ill. Reg. 19638, effective January 1, 1986; amended at 10 Ill. 9733, effective May 21, 1986; amended at 11 Ill. Reg. 10163, effective May 15, 1987; amended at 12 Ill. Reg. 3379, effective January 25, 1988; amended at 13 Ill. Reg. 3617, effective April 15, 1989; amended at 14 Ill. Reg. 1907, effective January 19, 1990; amended at 14 Ill. Reg. 3416, effective March 1, 1990; amended at 14 Ill. Reg. 15304, effective September 10, 1990; amended at 16 Ill. Reg. 11416, effective July 1, 1992.

Section 110.50 Minimum Fees

- a) A minimum accession fee of \$5 per accession shall be charged on all accessions originating from Illinois animals, with the exception of samples for trichinosis testing for which the minimum accession fee is \$1. If such fees for the individual tests exceed the minimum fee, no minimum fee shall be charged. Persons submitting specimens for which there are no charges for the laboratory procedure shall be exempt from the minimum

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fee.

- b) The necropsy fee is \$40 \$35 per accession up to four animals for all species and cadavers submitted where more than one test is needed, with an additional \$15 for each additional animal. Poultry are exempt from the additional charge for each additional animal over four. If multiple tissue specimens are submitted where more than one test is needed, the fee is \$35 \$30 per accession for up to four animals with an additional \$15 for each additional animal. ~~In cases where only a necropsy is performed without any tests, the fee is \$15. The necropsy fee and multiple tissue specimens fee will include a test in pathology, microbiology, parasitology and toxicology as indicated by the necropsy. These the necropsy fees do not include electron microscopy examination, toxicologic screens, water and feed analysis, serology or herd surveys. In cases where only a necropsy is performed without any tests, the fee is \$20.~~

- c) Electron microscopy and toxicologic tests (other than a screen for metals and pesticides) shall be performed only after consultation with and with approval from the person who requested the laboratory services at the fees set forth in this Part.

- d) All fees, including the minimum accession and necropsy fee, shall be doubled on all out-of-state animals, unless a specific charge is noted.

- e) Serologic tests on paired, acute and convalescent specimens will be billed as one accession at the fee set forth in this Part.

- f) Accessions submitted as "rush priority" specimens shall be charged at twice the normal rate. This charge shall apply to any submission requesting service at a rate faster than the normal laboratory routine turnaround time for the requested test (e.g., before the regularly scheduled day, before other samples or on days requiring additional personnel time such as weekends or holidays).

(Source: Amended at 16 Ill. Reg. 11416, effective July 1, 1992)

Section 110.80 Histopathology Fees

- a) The following are the fees for histopathology:

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- 1) Biopsy 15.00 12.50 C, G
2) Multiple Tissues (2-4 tissues) 30.00 25.00 C, G

- b) In the event some specialty testing situation is requested by the person requesting the laboratory services, other fixatives are available. Please consult the respective diagnostic laboratory for the specific fee.

(Source: Amended at 16 Ill. Reg. 11416, effective July 1, 1992)

Section 110.90 Microbiology Fees

The following are the fees for microbiology:

- a) Bacteriology, Mycoplasma and Fungi

- | | |
|---|-----------------------|
| 1) Aerobic or anaerobic culture without sensitivity testing | 10.00 C, G |
| 2) Aerobic culture with sensitivity testing | 15.00 C, G |
| 3) Clostridium perfringens serotyping | 5.00 G |
| Anaerobic culture (includes sensitivity test) | 15.00 C, G |
| 4) Milk samples for mastitis evaluation | |
| 1-4 specimens | 15.00 C, G |
| (Additional specimens, each at) | 2.00 C, G |
| Wisconsin mastitis test | |
| 1-10 specimens, each | 2.00 C |
| (Additional specimens, each at) | 1.00 C |
| 5) Leptospirosis - 6 serotypes | |
| Microtiter test - per specimen | 2.00 C, G |
| 6) Canine brucellosis - per specimen | 5.00 |
| C,G,S | |
| 7) Fluorescent Antibody Test (FA) | 10.00 C, G |
| 8) Escherichia coli serotyping | 3.00 G |
| 9) Campylobacter (culture) | 4.00 C, G |
| 10) Salmonella Serotyping | 1.00 C, G |
| Salmonella isolation using enrichment media | 6.00 C, G |
| 11) Hemophilus (culture) | 3.00 C, G |
| 12) Nasal Swabs--Bordetella | 2.00 C, G |
| 13) Listeria (culture) | 4.00 C, G |
| 14) Haemophilus equigenitalis (CEM) | 4.00 C, G |
| 15) Spirochetes (swine dysentery--Treponema sp.) | 3.00 C, G |
| 16) John's Bacillus (first specimen) | 7.00 |
| (each additional specimen) | 4.00 |

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17)	INDEX PROBE	15.00	G
	Prepare and Supply Transport Media (per tube)	1.00	C, G
18)	Return culture for bacterin production per organism	2.00	C, G
19)	Mycology Testing	6.00	C, G
20)	Microscopic examination	3.00	C
21)	Mycoplasma Testing	6.00	C, G
22)	Somatic Cell Count	2.00	G
	(1-10 specimens, each)	1.00	G
	(Each additional specimen)	15.00	C, G
22a)	E. Coli or Metritis (1-4 specimens)	2.00	C, G
	(each additional specimen)	2.00	C, G

b) Virology

1)	Electron Microscopy - fecal	15.00	10.00	G
2)	pseudorabies Serology (positive or negative)	no charge	C, G	
	Pseudorabies Serology Out-of-State	3.00	C, G	
	Pseudorabies Serology (positive or negative) and end titer	3.00	C, G	
	Pseudorabies Serology (request for screen at dilution of 1:2)	3.00	C, G	
3)	Fluorescent Antibody Test (each disease)	10.00	C, G	
4)	Rabies	5.00	C, G	
5)	Virus Isolation in Cell Culture	15.00	C, G	
6)	Viral Serology (each disease) (1-5 specimens, each)	3.00	C, G	
	(Each additional specimen)	1.00	C, G	
7)	Feline Leukemia Virus	10.00	C, G	
8)	Feline Infectious Peritonitis (F.I.P.)	5.00	C, G	
9)	Canine parvo-virus (ELISA) fecal	5.00	C, G	
10)	Canine parvo-virus serum	5.00	C, G	
11)	Canine distemper on serum	5.00	C, G	
12)	Rota-virus on fecal	10.00	C, G	
13)	Semen testing (export)	10.00	C, G	
14)	Swine enterovirus (8 serotypes)	12.00	C, G	
15)	FeLV-FeLT	15.00	C, G	
16)	Porcine fetal fluid IgG	3.00	C, G	
17)	Feline lentivirus (FeLT)	10.00	C, G	
	Chlamydia Isolation in Cell Culture	15.00	C, G	

d) Miscellaneous serology

1)	Toxoplasmosis	5.00	C
2)	Vibrio Agglutination Test (Campylobacter)	2.00	S
2a)	EIA-AGID	5.00	S

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34)	Mare Immunological Pregnancy Test (35-60 days post-service)	15.00	C
45)	Aleutian Disease-Mink (immuno-electrophoresis)	.20	S
56)	Out-of-State brucellosis serology	.50	C, G, S
67)	Brucellosis testing other than bovine, porcine and canine	.50	C, G, S
78)	Bluetongue (1-5 specimens, each)	3.00	C, S
	(Each additional specimen)	2.00	C, S
89)	Bovine leukosis (1-5 specimens, each)	3.00	C, S
	(Each additional specimen)	1.00	C, S
91a)	Vesicular stomatitis	3.00	C
101a)	Complement Fixation Serology (1-5 specimens, each)	3.00	C
	(Each additional specimen)	1.00	C
	Note: The Complement Fixation Serology tests include testing for anaplasmosis, and chlamydia.		

(Source: Amended at 16 Ill. Reg. 11416, effective July 1, 1992)

Section 110.110 Toxicology Fees

a) A maximum charge of \$100 shall be assessed Illinois residents. There is no maximum charge for out-of-state residents.

b) Toxicology Work-up:

Maximum \$50 per animal or \$100 per herd (Illinois animals)

c) Metals

1)	Arsenic or Selenium 1-3 specimens, each	20.00	C
	each additional specimen	10.00	C
2)	Lead, Copper, Zinc, Thallium, Calcium, Sodium, Manganese, Potassium, Iron, Chromium, Cobalt, Nickel, or Manganese 1-3 specimens, each	9.00	C
	each additional specimen	5.00	C
3)	Cadmium, Molybdenum and Mercury 1-3 specimens, each	10.00	C
	(each additional specimen)	6.00	C

d) Insecticide Screen

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- 1) Organochlorines, organophosphates . . . 40.00 C
 2) Carbamates . . . 30.00 C
 3) Individual insecticide . . . 20.00 C
 4) Ivermectin:
 Blood . . . 25.00 C
 Tissue . . . 50.00 C

- 3) Cyanide . . . 9.00 C
 4) Ammonia (Urea Toxicosis)
 first specimen . . . 10.00 C
 (each additional specimen) . . . 5.00 C

e) Herbicides

- 5) Carboxyhemoglobin, Methemoglobin,
 Sulfahemoglobin
 (first specimen) . . . 15.00 C
 (each additional specimen) . . . 5.00 C

- 1) Phenoxy compounds . . . 40.00 C
 2) Individual analysis of any
 herbicide from screen . . . 20.00 C
 3) Herbicide screen (heterocyclic
 nitrogen derivatives, dintroanilines,
 urea, carbamate and anilide
 compounds) . . . 50.00 C
 4) Imidazole compounds . . . 50.00 C

- 6) Sulfate . . . 15.00 C
 7) Creosote, Petroleum Products . . . 5.00 C
 8) pH . . . 15.00 C
 9) Urea . . . 1.00 C
 10) Total chlorides, feeds or water . . . 10.00 C
 11) Monensin or other ionophore (each) . . . 5.00 C
 12) Water chlorine . . . 25.00 C
 13) Water nitrate, nitrite (each) . . . 5.00 C
 14) Water hydrogen sulfide . . . 5.00 C
 15) Water hardness . . . 5.00 C
 16) Pentachlorophenol (PCP or Penta) . . . 15.00 C
 17) Bone--Percent Ash, Ca, Po4 . . . 12.00 C
 18) Ca, Po4 (in feed) . . . 10.00 C
 19) Ergot alkaloids . . . 15.00 C
 20) Antibiotics in feed (each) . . . 15.00 C
 21) Vitamin Analysis (each) . . . 10.00 C
 22) Feed Quality Analysis . . . 30.00 C
 23) Protein and moisture analysis . . . 7.50 C
 24) Gas chromatographic/mass
 spectrophotometric analysis (each
 sample) . . . 50.00 C

f) Rodenticides

- 1) Anticoagulant screen . . . 25.00 C
 2) Zinc Phosphide . . . 10.00 C
 3) Strychnine and other alkaloids . . . 10.00 C
 4) Yellow Phosphorus . . . 5.00 C
 5) Individual anticoagulant . . . 10.00 C
 6) Fluoracetate (1080) . . . 20.00 C

- 25) Cholinesterase:
 Blood (first specimen) . . . 10.00 7-50 C
 (each additional specimen) . . . 5.00 4-00 C
 Brain (first specimen) . . . 15.00 12-50 C
 (each additional specimen) . . . 10.00 8-00 C
 26) Drug screen . . . 25.00 C
 27) Sulfa residue (each sulfa drug) . . . 5.00 C
 28) Water quality screen (CH, OP,
 Carbamates, Herbicides, Lead) . . . 100.00 C
 29) Total dissolved solids solvents (Water) . . . 5.00 C
 30) Specific gravity (Water) . . . 5.00 C

g) Mycotoxins

- 1) Screen (aflatoxins, T-2, DAS, Vomitoxin,
 Zearalenone) . . . 50.00 C
 2) Milk or urine aflatoxin . . . 20.00 C
 3) Ochratoxin . . . 30.00 C
 4) Citrinin . . . 30.00 C
 5) Individual analysis of any
 mycotoxin from screen . . . 20.00 C
 6) Cyclopiazonic acid (CPA) . . . 30.00 C
 7) Blacklight for Aspergillus flavus . . . 2.00 C
 8) Endophyte testing
 Staining . . . 12.50 C
 Grow-out . . . 15.00 C

- 25) Cholinesterase:
 Blood (first specimen) . . . 10.00 7-50 C
 (each additional specimen) . . . 5.00 4-00 C
 Brain (first specimen) . . . 15.00 12-50 C
 (each additional specimen) . . . 10.00 8-00 C
 26) Drug screen . . . 25.00 C
 27) Sulfa residue (each sulfa drug) . . . 5.00 C
 28) Water quality screen (CH, OP,
 Carbamates, Herbicides, Lead) . . . 100.00 C
 29) Total dissolved solids solvents (Water) . . . 5.00 C
 30) Specific gravity (Water) . . . 5.00 C

h) Miscellaneous Analysis

- 1) Feed microscopy . . . 10.00 C
 2) Nitrate:
 Ground Materials (first specimen) . . . 8.00 C
 (each additional specimen) . . . 4.00 C
 Forages (first specimen) . . . 12.00 C

(Source: Amended at 16 Ill. Reg. 11416, effective July 1,
 1992)

Section 110.120 Miscellaneous Fees

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- a) Swine health checks at slaughter facilities:
Reproductive and serology for sows
(1-5 head) 25.00
each additional animal 4.00
Market swine health check
(12 head maximum) 50.00
(Contact the Galesburg laboratory for information)
- b) Water potability test (Coliform and Enterococcus--
Millipore Method and Nitrates) 8.00 C
- c) Return of shipping container current postal rate C,G,S
- d) Field trip by Department laboratory
personnel to take specimens 50.00 C, G
- e) Cremation (Under 50 pounds) 50.00 G
50 pounds and above, each additional
pound 1.00 G
- f) Report of results by
facsimile (FAX) (first per page) \$5.00 C,G,S
each additional page 1.00 C,G,S
- g) Handling fee for sending specimens to
out-of-state laboratories 5.00 C,G,S
- h) Lysine 40.00 C
i) Amino acids 100.00 C
j) Trihalomethanes (THM's) 75.00 C
k) Volatile Organic Compounds 300.00 C
l) Disposal Fee: (when lab tests have not been
conducted, a disposal fee will be charged
in addition to any cremation costs)
Under 50 pounds 5.00 C,G,S
50 pounds to 100 pounds 10.00 C,G,S
Over 100 pounds 15.00 C,G,S

(Source: Amended at 16 Ill. Reg. 11416, effective July 1, 1992)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Americans With Disabilities Act
Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 500
- 3) Section Numbers: Adopted Action:
500.1 New Section
500.2 New Section
500.3 New Section
500.4 New Section
500.5 New Section
500.6 New Section
500.7 New Section
- 4) Statutory Authority: Implementing Title II, Subtitle A of the
Americans With Disabilities Act of 1990 (42 U.S.C. 12131-
12134), as specified in Title II regulations (28 CFR 35.107),
and authorized by Sections 4-101 of the Illinois Alcoholism
and Other Drug Dependency Act (Ill. Rev. Stat. 1989, ch. 111,
par 6354-1).
- 5) Effective Date of Rules: July 6, 1992
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: April 23, 1992.
- 9) Notice of Proposal Published in Illinois Register: Ill. Reg.
2721, February 21, 1992.
- 10) Has JCAR issued a Statement of Objections to this rule? No.
- 11) Differences between proposal and final version:
The following language was added to the definition of
"Designated Coordinators" in Section 500.2: "(General Counsel
and/or Associate General Counsel)".
- 12) Have all the changes agreed upon by the agency and JCAR been
made as indicated in the agreement letter issued by JCAR?
JCAR has not requested any changes.
- 13) Will this rule replace an emergency rule currently in effect?

NOTICE OF ADOPTED RULES

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

TITLE 4: GRIEVANCE PROCEDURES
CHAPTER XVII: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

PART 500

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section	Purposes
500.1	Definitions
500.2	Procedure
500.3	Designated Coordinator Level
500.4	Final Level
500.5	Accessibility
500.6	Case-by-Case Resolution
500.7	

AUTHORITY: Implementing Title II, Subtitle A of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 4-101 of the Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6354-1).

SOURCE: Adopted at 16 Ill. Reg. 11426, effective July 6, 1992.

Section 500.1 Purposes

- This Part establishes an Americans With Disabilities Act (ADA) Grievance Procedure (Procedure) pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and specifically Section 35.107 of the Title II regulations (28 CFR 35.107) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- In general, the ADA requires that each program, service and activity offered by the Department of Alcoholism and Substance Abuse (Department), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.
- It is the intent of the Department to foster open communication with all individuals requesting ready access to programs, services and activities. The Department encourages staff to respond to requests for modifications before they become grievances.

Section 500.2 Definitions

"Complainant" is an individual with a disability who files a grievance form provided by the Department in accordance with this Part.

- 14) Are there any amendment currently pending on this part? No.
- 15) Summary and Purpose of Rule:
As required by the Americans with Disabilities Act of 1990, these adopted rules establish a procedure whereby persons with disabilities may resolve allegations of discrimination on the basis of disability.
- 16) Information and Questions Concerning this Adopted Rule should be directed to:

Jane Mortell
Associate General Counsel
Illinois Department of Alcoholism
and Substance Abuse
SOIC 100 W. Randolph Street
Suite 5-600
Chicago, Illinois 60601
(312) 814-6387 (Voice)
(312) 419-8432 (TDD)

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

"Designated Coordinators" are the persons appointed by the Department Director to coordinate the Department's efforts to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. The Designated Coordinators for the Department (General Counsel and/or Associate General Counsel) can be contacted at the Illinois Department of Alcoholism and Substance Abuse, 100 West Randolph Street, Suite 5-600, Chicago, Illinois 60601; (312)814-3840 (voice), or (312)419-8432 (TDD).

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or, being regarded as having such an impairment.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Department, and who believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the Department, or has been subject to discrimination by the Department, on the basis of his or her disability.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies or practices, the removal of architectural, communication or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the Department.

Section 500.3 Procedure

- a) Grievances shall be submitted in accordance with the procedures established in Sections 500.4 and 500.5 of this Part, in the form and manner described, and within specified time limits. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.
- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure, within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Department's final response.
- c) The Department shall, upon being informed of an individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the grievance form.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Section 500.4 Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to a Designated Coordinator in writing on the grievance form prescribed for that purpose. The grievance form shall be completed in full in order to receive proper consideration by the Designated Coordinator, and shall include:
 - 1) the complainant's name and, if applicable, address and telephone number;
 - 2) the best means and time for contacting the complainant;
 - 3) the program, activity or service which was denied complainant or in which alleged discrimination occurred;
 - 4) the date and nature of the alleged denial or discrimination;
 - 5) the signature of the complainant, or his/her authorized designee.
- b) Upon request, assistance shall be provided by the Department to complete the grievance form.
- c) A Designated Coordinator or designee shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and to the Director of the Department within ten (10) business days after receipt of the grievance form.

Section 500.5 Final Level

- a) If the grievance is not resolved to the satisfaction of the complainant at the Designated Coordinator Level, the complainant may submit a copy of the grievance form and Designated Coordinator's response to the Director of the Department for final review. The complainant shall submit these documents to the Director, or his or her designee, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within five (5) business days after receipt by the complainant of the Designated Coordinator's response.
- b) The complainant shall be afforded an opportunity to appear before the Director. The complainant shall have a right to appoint a representative to appear on his or her behalf. The Director shall review the Designated Coordinator's written response and may conduct interviews and seek advice as the Director deems appropriate.
- c) The Director shall approve, disapprove or modify the recommendation of the Designated Coordinator, shall render a decision thereon in writing within thirty (3) days, shall state the basis therefore, and shall cause a copy of the decision to be served on the parties. The Director's decision shall be final. If the Director disapproves or modifies the Designated Coordinator's recommendations, the Director shall include written reasons for such disapproval or modification.
- d) The grievance form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, and the decision of the

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED RULES

Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.3 et seq.) or as otherwise required by law.

Section 500.6 Accessibility

The Department shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 500.7 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes, but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Department. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Americans with Disabilities Act Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 725
- 3) Section Numbers: Adopted Action:

725.10	New Section
725.20	New Section
725.30	New Section
725.40	New Section
725.50	New Section
725.60	New Section
725.70	New Section
- 4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 4 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004).
- 5) Effective Date of Rules: July 2, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office? July 2, 1992
- 9) Notice of Proposal Published in Illinois Register:
March 13, 1992, 16 Ill. Reg. 3689 (issue date)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version:
Proposed Rule was published under 71 Ill. Adm. Code 110. Adopted Rule assigned 4 Ill. Adm. Code 725, per the Secretary of State, Administrative Code Division. Minor grammatical and stylistic changes have been made in response to comments from JCAR. References to the Illinois Revised Statutes were changed to the 1991 edition throughout.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules: As required by the Americans With Disabilities Act of 1990, these rules establish a procedure whereby qualified persons with disabilities may resolve allegations of denial of public services on the basis of disability.

16) Information and questions regarding this adopted rule shall be directed to:

Linda Doom, Personnel Officer
Capital Development Board
3rd Floor, William G. Stratton Bldg.
Springfield, Illinois 62703
217/782-7222

The full text of the Adopted Rule begins on the next page:

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

TITLE 4: GRIEVANCE PROCEDURES
CHAPTER XXVI: CAPITAL DEVELOPMENT BOARD

PART 725

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section	Purpose
725.10	Definitions
725.20	Procedure
725.30	Designated Coordinator Level
725.40	Final Level
725.50	Accessibility
725.60	Case-by-Case Resolution

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 4 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004).

SOURCE: Adopted at 16 Ill. Reg. 11432, effective July 2, 1992.

Section 725.10 Purpose

a) This Americans With Disabilities Act (ADA) Grievance Procedure (Procedure) is established pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and specifically Section 35.107 of the Title II regulations (28 CFR 35.107) requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator of the Capital Development Board (Board), 3rd Floor, Wm. G. Stratton Building, 401 South Spring Street, Springfield, Illinois 62706.

b) In general, the ADA requires that each program, service, and activity offered by the Board, when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.

c) It is the intention of the Board to foster open communication with all individuals requesting readily accessible programs, services and activities. The Board encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 725.20 Definitions

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

- a) "Complainant" is an individual with a disability who files a Grievance Form provided by the Board under this procedure.
- b) "Designated Coordinator" is the Affirmative Action Officer of the Board who is responsible for the coordination of efforts of the Board to comply with and carry out its responsibilities under Title II of the ADA, including investigation of grievances filed by complainants. (See 28 CFR 35.107.)
- c) "Grievance" is any complaint under the ADA by an individual with a disability who:

- 1) meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service by the Board; and
- 2) believes he/she has been excluded from participation in, or denied the benefits of any program, service or activity of the Board or has been subject to discrimination by the Board.

Section 725.30 Procedure

- a) Grievances must be submitted through the channels defined below in the form and manner as described within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.
- b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Board's last response.
- c) The Board shall, upon being informed of that individual's desire to file a formal grievance, instruct the individual how to receive a copy of this procedure and the Grievance Form.

Section 725.40 Designated Coordinator Level

- a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated Coordinator.

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

- b) Upon request, assistance shall be provided by the Board to complete the Grievance Form.
- c) The Designated Coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Executive Director within ten (10) business days after receipt of the Grievance Form.

Section 725.50 Final Level

- a) If the grievance has not been resolved at the Designated Coordinator level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the Executive Director of the Board for final review. The complainant shall submit these documents to the Executive Director, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within five (5) business days after receipt by the complainant of the Designated Coordinator's response.
- b) The Executive Director shall appoint a 3-member panel to review the grievance at the Final Level. One member so appointed shall be designated chairperson.
- c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) Upon reaching a concurrence, the panel shall make recommendations in writing to the Executive Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the Executive Director in writing and shall also sign such recommendation.
- e) Upon receipt of recommendations from a panel, the Executive Director shall approve, disapprove or modify the panel's recommendations, shall render a decision thereon in writing, shall state the basis therefore, and shall cause a copy of the decision to be served on the parties. The Executive Director's decision shall be final. If the Executive Director disapproves or modifies the panel's recommendations, the Executive Director shall include written reasons for such disapproval or modification.

ILLINOIS REGISTER

CAPITAL DEVELOPMENT BOARD

NOTICE OF ADOPTED RULES

- f) The Grievance Form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, the recommendations of the panel and the decision of the Executive Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.3 et seq.), or as otherwise required by law.

Section 725.60 Accessibility

The Board shall ensure that all stages of the procedure are readily accessible to and usable by individuals with disabilities.

Section 725.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Board. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

ILLINOIS REGISTER

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Solicitation for Charitable Payroll Deductions

- 2) Code Citation: 80 Ill. Adm. Code 2650

- 3) Section Number: Adopted Action:

2650.10

Amendment

2650.25

Amendment

- 4) Statutory Authority: Implementing and authorized by Section 9 of the Illinois Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b109).

- 5) Effective Date of Amendment: July 6, 1992

- 6) Does this rulemaking contain an automatic repeal date? No.

- 7) Does the Amendment contain incorporations by reference? No.

- 8) Date Filed in Agency's Principal Office: July 6, 1992

- 9) Notice of Proposal Published in Illinois Register:

March 6, 1992, 16 Ill. Reg. 3235

- 10) Has JCAR issued a Statement of Objections to the Amendment? No.

- 11) Differences between proposal and final version:

Section 2650.10, line 7, Director of Central Management Services is deleted and Director of the Lieutenant Governor's Office of Volunteer Services is shown as new language. The new language was shown in the proposed version, but the deletion and underlining were not included.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will the Amendment replace an emergency rule currently in effect? No.

- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendment:

These amendments transfer responsibility for administering the Support Committee and working with the charities to administer the annual State Employee Combined Appeal (SECA) campaign from the Governor's Office of Voluntary Action to the Department of Central Management Services.

- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669

The full text of the Adopted Amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE G: PAYROLL DEDUCTIONS
CHAPTER III: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 2650

SOLICITATION FOR CHARITABLE PAYROLL DEDUCTIONS

Section	Definitions
2650.1	Entitlement
2650.5	Organization
2650.10	Annual Drive
2650.15	Recognition
2650.20	Request to Solicit Employees
2650.25	Prohibitions
2650.30	

AUTHORITY: Implementing and authorized by Section 9 of the Illinois Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b109).

SOURCE: Emergency rules adopted at 12 Ill. Reg. 6975, effective April 1, 1988, for a maximum of 150 days; emergency repealer adopted at 12 Ill. Reg. 10191, effective June 10, 1988, for a maximum of 150 days; adopted at 13 Ill. Reg. 3330, effective March 6, 1989; amended at 16 Ill. Reg. 11438 effective July 6, 1992.

Section 2650.10 Organization

- a) A support committee to assist and regulate the State Employees' Combined Appeal (SECA) is herewith established under the chairmanship of the Director (or his/her designee) of the Governor's Office of Voluntary Action. Membership of this committee will consist of a representative from each qualified charitable organization; one State employee "at large" representing employee interests; the prior year's SECA chairperson; the Director of Central Management Services; Director of the Lieutenant Governor's Office of Volunteer Services or his/her designee; a state employee labor organization; and one public member, and the appointed SECA Chairperson for the current year. The State employee and the public member will be appointed by the Governor. The committee shall meet at least once each year. The function of the committee is to advise the Director of the Governor's Office of Voluntary Action and the Director on employee solicitation, including:

- 1) Discussion and planning of the administration and conduct of the annual campaign.
- 2) Review of combined campaign materials, educational programs, publicity efforts, campaign goals and recognition-award programs.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 3) Selection process for SECA chairpersons and coordinators.
- 4) Verification of continuing eligibility through the Comptroller's Office.
- 5) Any other issues determined to be consistent with the functions of the committee.

b) A chairperson for each annual SECA shall be appointed by the Governor. Said chairperson shall serve on the support committee to assist the Director of the Governor's Office of Voluntary Action on functions specified in subsections (a)(2) and (a)(3) above. Each chief officer shall appoint an executive coordinator for each annual campaign. SECA coordinators or other agency employees shall be permitted work time to perform their responsibilities, including campaign briefings and training, distribution of literature, collection of pledge cards, telephone and contact with representatives of the qualified charitable organizations. SECA coordinators will be permitted to request liaisons to assist where an agency has multiple work sites. SECA liaisons will be given time to meet with their coordinator for training. Any volunteers recruited by charities from State offices shall contribute time solely during non-work hours.

c) During the campaign period, employees may attend on their own volition presentations of each or any qualified charitable organization, such time totaling not more than 1 hour in the aggregate annually. Agencies, in cooperation with the qualified charitable organization, shall endeavor to schedule presentations to permit all interested employees to attend such presentations.

(Source: Amended at 16 Ill. Reg. 11438, effective July 6, 1992)

Section 2650.25 Request to Solicit Employees

Any request by a qualified charitable organization to solicit contributions from employees received in any agency shall be forwarded to the Director of the Office of Voluntary Action for action as provided in this Part.

(Source: Amended at 16 Ill. Reg. 11438, effective July 6, 1992)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Qualifications of Hearing Examiners
- 2) Code Citation: 2 Ill. Adm. Code 1702
- 3) Section Numbers: Adopted Action:
1702.10 New Section
1702.20 New Section
- 4) Statutory Authority: Implementing Section 10-20 and authorized by Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1010-20 and 1005-15).
- 5) Effective Date of Rules: July 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these rules contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: June 30, 1992
- 9) Notice of Proposal Published in Illinois Register: Notice of Proposal not required for these rules.
- 10) Has JCAR issued a Statement of Objections to these rules? JCAR review not required for these rules.
- 11) Difference(s) between proposal and final version: No proposed version required for these rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No JCAR review required for these rules.
- 13) Will these rules replace emergency rules currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rules: These rules set the qualifications for Hearing Examiners in compliance with Section 10-20 of the Illinois Administrative Procedure Act.

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULES

- 16) Information and questions regarding these adopted rules shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217) 785-8439

The full text of the Adopted Rules begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER IX: ILLINOIS COMMERCE COMMISSION

PART 1702
QUALIFICATIONS OF HEARING EXAMINERS

Section
1702.10
1702.20

Qualifications for Currently Employed Hearing Examiners
Qualifications for Hearing Examiners Employed After June 30, 1992

AUTHORITY: Implementing Section 10-20 and authorized by Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1010-20 and 1005-15).

SOURCE: Adopted at 16 Ill. Reg. 11442, effective July 1, 1992.

Section 1702.10 Qualifications for Currently Employed Hearing Examiners

Any person employed by the Illinois Commerce Commission as a Hearing Examiner prior to July 1, 1992, shall be qualified to act as a Hearing Examiner pursuant to Section 10-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-20).

Section 1702.20 Qualifications for Hearing Examiners Employed After June 30, 1992

Except as provided in Section 1702.10, any Hearing Examiner employed by the Illinois Commerce Commission after June 30, 1992, shall be an attorney licensed to practice law in Illinois.

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULE

- 1) Heading of the Part: Administrative Law Judges
- 2) Code Citation: 2 Ill. Adm. Code 1027
- 3) Section Number: 1027.10
Adopted Action: New Section
- 4) Statutory Authority: Implementing and authorized by Ill. Rev. Stat. 1991, ch. 91, pars. 5-104 and 100-5 and ch. 127, pars. 1005-15 and 1010-20.
- 5) Effective Date of Rule: July 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: June 30, 1992
- 9) Notice(s) of Proposal Published in Illinois Register: This is an internal rule and the publication of a first notice in the Illinois Register is not required.
- 10) Has JCAR issued a Statement of Objections to this Rule? No, Section 1027.10 is an internal rule.
- 11) Difference(s) between proposal and final version: Not applicable.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not applicable.
- 13) Will this rule replace an emergency rule? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rule:
Section 1027.10 sets forth the qualifications of the Department's administrative law judges.

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULE

- 16) Information and questions regarding this adopted rule shall be directed to:

Name: Judith Hollenberg
Rules Administrator
Address: 402 Stratton Building
Springfield, IL 62765
Telephone: (217)785-3313

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

NOTICE OF ADOPTED RULE

TITLE 2: GOVERNMENTAL ORGANIZATIONS

SUBTITLE D: CODE DEPARTMENTS

CHAPTER XIV: DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

PART 1027

ADMINISTRATIVE LAW JUDGES

Section
1027.10 Qualifications

AUTHORITY: Implementing Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (Ill. Rev. Stat. 1991, ch. 91, par. 5-104), Section 5 of the Department of Mental Health and Developmental Disabilities Act (Ill. Rev. Stat. 1991, ch. 91, par. 100-5) and Section 10-20 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-20).

SOURCE: Adopted at 16 Ill. Reg. 11445, effective July 1, 1992.

NOTE: Bold-face type denotes statutory language.

Section 1027.10 Qualifications

All administrative law judges conducting hearings in accordance with the Department's rules at 59 Ill. Adm. Code 103, 106, 113, 115, 117, 119, 120 or 132 shall have the following minimum qualifications:

- a) Five years experience in government management or in the provision of mental health or developmental disabilities services. The five years may be any combination of both types of experience; or
- b) Successful completion of a course of study on administrative law at the undergraduate, graduate or postgraduate level and two or more years experience in government management or in the provision of mental health or developmental disabilities services; or
- c) Six months to one year's experience as a full-time administrative law judge or the equivalent part-time experience and one or more years experience in government management or in the provision of mental health or developmental disabilities services; or
- d) One or more years experience as a full-time administrative law judge or the equivalent part-time experience; or

DEPARTMENT OF MENTAL HEALTH
AND DEVELOPMENTAL DISABILITIES

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- e) A law degree from an accredited law school; or
- f) A current license to practice law in the State of Illinois.

DEPARTMENT OF MINES AND MINERALS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: The Illinois Explosives Act

2) Code Citation: 62 Ill. Adm. Code 200

<u>Section Numbers</u>	<u>Adopted Action</u>
200.12	Amended
200.201	Amended
200.402	Amended
200.500	Amended
200.600	Amended
200.603	Amended
200.604	Amended
200.806	Amended
200.Appendix B	New Section

4) Statutory Authority: Ill. Rev. Stat. Ch. 96 1/2, par. 1-1001 et seq.

5) Effective Date of Amendments: July 6, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes

8) Date Filed in Agency's Principal Office: July 6, 1992

9) Notice of Proposed Amendments Published in Illinois Register:
16 Ill. Reg. 3267, March 6, 1992

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In Section 200.402, the second line, "(located in Appendix A of this Part)" has been added; in the fourth line "(located in Appendix B of this Part)" has been added; and in the fifth line "magazines" has been added.

In Section 200.500, the statutory cite was added.

In Section 200.604(b), the first line, the spelling of "clear" has been corrected.

12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect?
No

14) Are there any amendments pending on this part? No

15) Summary and Purpose of Rule(s):

Section 200.12: incorporates by reference the Table of Separation Distances for Low Explosives as provided in the regulations of the Bureau of Alcohol, Tobacco and Firearms.

Section 200.201(b): deletes the word "direct" in identifying the Magazine Keeper as the person responsible for the magazine.

Section 200.201(d): clarifies the requirements for an application for storage certificate to include a statement of the kind and quantity of explosives to be stored "at any one time" in the proposed magazine.

Section 200.402: provides that magazines containing solely low explosives shall be separated from inhabited buildings, passenger railways, and public highways in accordance with the Table for Separation Distances for Low Explosives.

Section 200.500: includes recently added statutory language allowing the Director of the Department to approve variations from the magazine construction requirements where such variations substantially meet the safety and security requirements of this subpart.

Section 200.600: allows the magazine certificate holder to designate an individual other than the Magazine Keeper as being the person responsible for the reports and records required by this subpart and the Illinois Explosives Act.

Section 200.603(a): allows the magazine certificate holder to depart from the first in/first out explosives removal requirement where that holder has adopted a quality control program that ensures the removal of any explosives that have become unstable or dangerous.

Section 200.603(b): adds the words "in a magazine" in referring to the requirement that like stocks be stored together.

Section 200.604: deletes language requiring that sweepings of magazines be disposed of in accordance with instructions from the manufacturer of the explosives and adds language that provides that such sweepings are to be disposed of in accordance with safe handling procedures.

Section 200.806: no language change, simply changes the lettering of the paragraphs of this section.

Appendix B: adds the Table of Separation Distances for Low Explosives.

16) Information and questions regarding these adopted amendments shall be

DEPARTMENT OF MINES AND MINERALS
NOTICE OF ADOPTED AMENDMENTS

directed to:

Name: Gunnar Gunnarsson
Legal Counsel
Address: 300 W. Jefferson, Suite 300
P.O. Box 10137
Springfield, IL 62791-0137
Telephone: (217) 782-0125

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF MINES AND MINERALS
NOTICE OF ADOPTED AMENDMENT(S)
TITLE 62: MINING
CHAPTER 1: DEPARTMENT OF MINES AND MINERALS

PART 200
THE ILLINOIS EXPLOSIVES ACT

SUBPART A: SCOPE, AUTHORITY AND DEFINITIONS

Section
200.10 Scope and Authority
200.11 Definitions
200.12 Incorporated Materials

SUBPART B: LICENSE APPLICATION

Section
200.100 Application for Original Licensure
200.101 Contents of Application
200.102 Fingerprint Cards
200.103 Written Examination
200.104 Incomplete Application
200.105 Denial of Application
200.106 Refusal to Issue
200.107 License Renewal
200.108 Temporary License

SUBPART C: STORAGE CERTIFICATE APPLICATION

Section
200.200 Application for Original Storage Certificate
200.201 Contents of Application
200.202 Incomplete Application
200.203 Denial of Application
200.204 Magazine Inspection
200.205 Refusal to Issue
200.206 Renewal

SUBPART D: FEES

Section
200.300 Fees
200.301 Proration of Fees
200.302 Waiver of Fees - Government Agencies

SUBPART E: CLASSIFICATION OF MAGAZINES AND GENERAL
STORAGE REQUIREMENTS

Section
200.400 General Storage Requirements

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200.401 Classification of Magazines
200.402 Location of Magazines - Distances and Quantity

SUBPART F: MAGAZINE CONSTRUCTION STANDARDS

Section
200.500 Construction of Magazines
200.501 Type 1 Magazine
200.502 Type 2 Magazine
200.503 Type 3 Magazine
200.504 Type 4 Magazine
200.505 Type 5 Magazine

SUBPART G: MAGAZINE OPERATIONS AND MAINTENANCE

Section
200.600 Magazine Keeper
200.601 Security Precautions
200.602 Safety Precautions - General
200.603 Safety Precautions - Handling and Storage
200.604 Magazine Maintenance and Repair

SUBPART H: TYPE 3 MAGAZINES AND VEHICLES
AT BLAST AREAS

Section
200.700 Requirements for Type 3 Magazines
200.701 On-Site Vehicles; Warning Signs

SUBPART I: RECORDKEEPING AND REPORTING

Section
200.800 Possession of License
200.801 Posting of Storage Certificate
200.802 Report of Lost, Stolen or Destroyed License or Storage Certificate
200.803 Worn or Damaged License or Storage Certificate
200.804 Report of Changed Conditions; Cancellation or Modification of Storage Certificate
200.805 Report of Theft or Loss of Explosive Materials
200.806 Records of Transactions - Licensees and Certificate Holders
200.807 Daily Summary of Magazine Transactions
200.808 Transactions - Black Powder
200.809 Record of Annual Physical Magazine Inventory
200.810 Inspections

SUBPART J: RULES OF PROCEDURE IN ADMINISTRATIVE HEARINGS

Section
200.900 Notice of Department's Intended Action; Contents and Service

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200.901 Request for Hearing on Department's Intended Action; Contents and Service
200.902 Notice of Hearing
200.903 Postponement or Continuance of Hearing
200.904 Hearing Officer; Powers and Duties
200.905 Pre-Hearing Conferences
200.906 Burden and Standard of Proof
200.907 Default
200.908 Evidence
200.909 Briefs
200.910 Hearing Officer's Decision
200.911 Final Administrative Decision
200.912 Administrative Fines
200.913 Immediate Suspension Without Notice of Hearing
200.914 Computation of Time

Appendix A: American Table of Distances for Storage of Explosive Materials

Appendix B: Table of Separation Distances for Low Explosives

AUTHORITY: Implementing and authorized by the Illinois Explosives Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 1-1001 et seq.).

SOURCE: Amended September 15, 1973; codified at 7 Ill. Reg. 12867; Part repealed, new Part adopted at 14 Ill. Reg. 3503, effective February 23, 1990; amended at 16 Ill. Reg. 11449, effective July 6, 1992.

Section 200.12 Incorporated Materials

- a) The following federal and state regulations, standards are incorporated or referenced in various sections of this Part:
- 1) "The National Electrical Code" - (1987 Edition) published by:
The National Fire Protection Association (NFPA)
1110 Vermont Ave., N.W., Suite 1210
Washington, D.C. 20005,
 - 2) "The Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents" - (NFPA 495-1985 Edition) published by:
The National Fire Protection Association (NFPA)
1110 Vermont Ave., N.W., Suite 1210
Washington, D.C. 20005
 - 3) "Warnings and Instructions for Consumers in Transporting, Storing, Handling, and Using Explosive Materials" (Safety Library Publication. No. 4, June 1987 Edition)
Institute of Makers of Explosives
1120 19th Street N.W., Suite 310
Washington, D.C. 20036
 - 4) "Table of Distances for Storage of Low Explosives", 27 CFR 55.219, regulations of the Bureau of Alcohol, Tobacco, and Firearms.

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b) All incorporations by reference of the standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.

c) All materials incorporated by reference are available for inspection and copying at the Department's General Office, 300 W. Jefferson, Suite 300, Springfield, Illinois 62791-0137.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200.201 Contents of Application

The application for an original storage certificate shall include:

- The full name and the business and residence addresses and telephone numbers of the person making the application.
- The full name and the business and residence addresses and telephone numbers of the person having direct responsibility for the magazine (the magazine keeper), if different from the applicant.
- The location or proposed location of the magazine, including the township, county and, if the magazine is located in an unincorporated area, the name and distance from the nearest municipality.
- The kind and maximum quantity of explosive materials intended to be stored in the magazine at any one time.
- The distance or intended distance of the magazine from the nearest magazine building, railroad or highway, and whether the magazine is barricaded.
- A description of the purposes for which explosive materials are intended to be stored.
- The full names and explosive license numbers of all persons who will have access to and handle explosive materials, or a statement of the reasons for which an exemption from the individual license requirements is claimed under Section 1004 of the Act.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200.402 Location of Magazines - Distances and Quantity

a) All outdoor magazines except Type 3 shall be located as provided in the American Table of Distances (located in Appendix A of this Part) for magazines containing any amount of high explosives and the Table of Separation Distances for Low Explosives (located in Appendix B of this Part) for magazines containing low explosives when determining minimum distances of inhabited buildings, passenger railways, and public highways.

b) Separation Distances in the American Table of Distances, the Table of Separation Distances for Low Explosives and the table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or

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Blasting Agents shall be used in determining minimum separation of storage facilities for explosives, blasting agents, and ammonium nitrate. The American Table of Distances and the Table of Separation Distances for Low Explosives should be used to determine safe distances from inhabited dwellings, highways, passenger railways, and between explosive materials magazines. The table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents should be used to determine non-propagation distances to ANFO blasting agents and to ammonium nitrate. The greater of the distances shown in the American Table of Distances or the Table of Separation Distances for Low Explosives, whichever is applicable, and in the table of Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents should be used to determine the required separation between a magazine for storage of explosives and a magazine for storage of blasting agents.

c) The storage of explosive materials in indoor magazines shall not exceed 50 pounds in any building or facility. No indoor magazine shall be located in a residence or dwelling. Indoor magazines shall be located on a floor which has an exit at or ramp to exterior grade level. Indoor magazines shall be located not more than 10 feet from such an exit. Two magazines may be located in the same building or facility when one is used for detonators only, in quantities not in excess of 5,000, and when a distance of 10 feet is maintained between magazines. All indoor magazines must be on casters or wheels to facilitate removal from a building in an emergency. The local fire department shall be notified of the location of the magazines and of any change in location.

d) A Type 3 magazine is not subject to the American Table of Distances nor the Table of Separation Distances for Low Explosives, but shall be located as far away as practicable from neighboring inhabited buildings, railways, highways, and any other magazines.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

SUBPART F: MAGAZINE CONSTRUCTION STANDARDS

Section 200.500 Construction of Magazines

- The Director may authorize alternate construction for explosives storage magazines when it is shown that the alternate magazine construction is substantially equivalent to the standards of safety and security contained in this subpart. Any person intending to use alternate magazine construction shall submit a letter of application to the Director, specifically describing the proposed magazine. Explosive materials may not be stored in alternate magazines before the applicant has been notified that the application has been approved. (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 1-5013(b))
- Magazines constructed according to the following minimum

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specifications are approved as bullet-resistant as defined by Section 200.11 of this Part (all steel and wood dimensions are actual thickness; all concrete block and brick dimensions are nominal thicknesses):

- 1) Exterior of steel:
 - A) 5/8 inch steel with an interior lining of any type of non-sparking material.
 - B) 1/2 inch steel with an interior lining of not less than 3/8 inch plywood.
 - C) 3/8 inch steel with an interior lining of:
 - i) 2 inches of hardwood, or
 - ii) 3 inches of softwood, or
 - iii) 2 1/4 inches of plywood.
 - D) 1/4-inch steel with an interior lining of:
 - i) 2 inches of hardwood, or
 - ii) 5 inches of softwood, or
 - iii) 5 1/4 inches of plywood, or
 - iv) 1 1/2 inches of plywood with an intermediate layer of 2 inches of hardwood.
 - E) 3/16-inch steel with an interior lining of:
 - i) 4 inches of hardwood, or
 - ii) 7 inches of softwood, or
 - iii) 6 3/4 inches of plywood, or
 - iv) 3/4 inches of plywood with an intermediate layer of 3 inches of hardwood.
 - F) 1/8-inch of steel with an interior lining of:
 - i) 5 inches of hardwood, or
 - ii) 9 inches of softwood, or
 - iii) 3/4 inches of plywood with an intermediate layer of 4 inches of hardwood, or
 - iv) 3/4 inches of plywood with a first intermediate layer of 3/4-inch plywood and a second intermediate layer of 3-5/8 inches of well-tamped dry sand or sand and cement mixture.
- 2) Exterior of any type of fire-resistant material which is structurally sound with:
 - A) An interior lining of 1/2-inch plywood placed securely against an intermediate layer of:
 - i) 4 inches solid concrete block, or
 - ii) 4 inches solid brick, or
 - iii) 4 inches solid concrete.
 - B) An interior lining of 3/4 inches of plywood and a first intermediate layer of 3/4-inch plywood, a second intermediate layer of 3-5/8-inch well-tamped dry sand or sand and cement mixture, a third intermediate layer of 3/4-inch plywood, and a four intermediate layer of 2 inches of hardwood or 14-gauge steel.
 - C) An intermediate 6 inch space filled with well-tamped dry sand or well-tamped sand and cement mixture.

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3) Masonry construction of:

- A) Standard 8-inch concrete block with voids filled with well-tamped dry sand or well-tamped sand and cement mixture, or
 - B) Standard 8-inch solid brick, or
 - C) 8-inch thick solid concrete.
- bc) The ground around a magazine shall be graded in such a manner that water will not drain into the magazine.
- cd) Battery-activated safety lights or battery-activated safety lanterns may be used in explosives storage magazines. Upon request, electric lighting systems for magazines will be authorized by the Department if they meet the standards prescribed by the National Electrical Code, for the conditions present in the magazine at any time. All electrical switches must be located outside of the magazine and also meet the standards prescribed by the National Electrical Code.
- de) Type 1, 2, 3 or 4 magazines constructed with masonry walls or with any ferrous metal must have such interior surfaces covered with a non-sparking lattice, paint, mastic, or equivalent lining to prevent direct contact with stored explosive materials.
- ef) In a Type 5 magazine, ferrous metal may be exposed on the interior of the magazine provided it cannot rupture the packages of explosive materials.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

SUBPART G: MAGAZINE OPERATIONS AND MAINTENANCE

Section 200.600 Magazine Keeper

- a) Magazines shall at all times be in the charge of a competent person, known as the Magazine Keeper, who shall be at least 21 years of age, and who shall be conversant with and be responsible for the enforcement of all safety and security precautions. The current business and residence addresses and telephone numbers of the Magazine Keeper shall be on file with the Department at all times.
- b) The Magazine Keeper is responsible for seeing that the magazine is operated and maintained in accordance with this Part and that all reports and records are made and kept in accordance with Subpart I of this Part. The holder of the certificate may designate some other individual meeting the requirements of (a) above as being responsible for the required reports and records, by notifying the Department of the business and residence addresses and telephone numbers of that designated responsible individual.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200.603 Safety Precautions - Handling and Storage

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- a) Use of Stocks.
When explosive material is removed from a magazine for use, the oldest stocks shall be removed first. Where the certificate holder has adopted a quality control program that does not necessarily involve the removal of the oldest stock first, but which complies with Section 602(e) of this Subpart, the requirements of this subsection shall be deemed to be met.
- b) Like Stocks Together.
Corresponding grades and brands shall be stored in a magazine together and in such a manner that brand and grade marks are visible. All stocks shall be stored so as to be easily counted and checked.
- c) Stacking.
Containers of explosive materials shall be stacked in a stable manner to prevent shifting or falling. Rigid containers of explosive materials shall be laid flat, and cases with top side up.
- d) Ventilation.
Explosive materials shall be stored within a magazine so as not to interfere with required ventilation.
- e) Black Powder.
Black powder, when stored in the same magazine with other explosive material, shall be stacked separately.
- f) Containers.
Containers of explosive materials which have been opened shall be securely closed before being placed in a magazine. Only fiberboard containers may be opened in the magazine.
- g) Damaged Containers.
Containers of damaged explosive materials shall not be unpacked or repacked in, or within 50 feet of, a magazine or in close proximity to other explosive materials.
- h) Non-Sparking Tools.
Tools used for opening containers of explosive materials shall be constructed of non-sparking material, except that metal slitters may be used for opening fiberboard containers provided that the metal slitter does not come into contact with any metallic fasteners which may be in or part of the case. Only a wooden wedge and a fiber, rubber, or wooden mallet shall be used for opening or closing wood containers of explosive materials.
- i) Stained Floors.
Magazine floors stained with liquid shall be dealt with according to instructions of the manufacturer.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200.604 Magazine Maintenance and Repair

- a) Sweeping, Cleaning.
Magazine floors shall be regularly swept, kept clean, dry, free of grit, paper and rubbish. Brooms and other cleaning utensils shall not

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- have any spark-producing metal parts. Sweepings of explosive materials from the floors of magazines shall be disposed of in accordance with the--instructions--of-the-manufacturer safe handling procedures.
- b) Exterior Maintenance.
The land within 25 feet of any magazine shall be kept clear of rubbish, brush, dried grass, leaves, dead trees, and all live trees less than ten feet high.
- c) Interior Repairs.
When magazines need interior repairs, all explosive materials shall be removed therefrom and the floors cleaned before and after making repairs.
- d) Exterior Repairs.
In making exterior magazine repairs, when there is a possibility of causing sparks or fire, all explosive materials shall first be removed from the magazine.
- e) Storage During Repair.
Explosive materials removed from a magazine under repair shall either be placed in another magazine or placed a safe distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. In determining safe distance, the type and extent of repair and the potential for production of spark or flame shall be considered, but in no event shall the distance be less than that specified in the American Table of Distances and the Separation Distances of Ammonium Nitrate and Blasting Agents From Explosives or Blasting Agents. Upon completion of repairs, the explosive materials shall be properly returned to the magazine.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200.806 Records of Transactions - Licensees and Certificate Holders

- da) The requirements of this Section shall not apply to any license or storage certificate holder who is holder of a license or permit issued by BATF and who satisfies the recordkeeping requirements for transactions of explosive materials prescribed by BATF.
- ab) Every A licensee and holder of a storage certificate shall maintain a record of each transaction in which explosive materials are sold, purchased or otherwise transferred. The record shall be made on a sales slip, delivery ticket, invoice, BATF transaction record form, or other document and shall include:
- 1) the name and address of the seller or person from whom the explosive materials were procured;
 - 2) the name, address and license or certificate number (with expiration date) of the purchaser or person to whom the explosive materials were delivered;
 - 3) the date of purchase or delivery; and
 - 4) the quantity and description of the explosive materials.

- bc) In the case of a licensee the transactions record shall be kept with the explosive materials and shall be produced by the licensee upon request.
- ed) Records of transactions for each license or certificate shall be kept and maintained for a minimum of one year from the date of the transaction.

(Source: Amended at 16 Ill. Reg. 11449, effective July 6, 1992)

Section 200. APPENDIX B Table of Separation Distances for Low Explosives

POUNDS		DISTANCES IN FEET		
OVER	NOT OVER	FROM INHABITED BUILDING	FROM PUBLIC RAILROAD AND HIGHWAY	FROM ABOVE-GROUND MAGAZINE
0	1,000	75	75	50
1,000	5,000	115	115	75
5,000	10,000	150	150	100
10,000	20,000	190	190	130
20,000	30,000	215	215	145
30,000	40,000	235	235	155
40,000	50,000	250	250	165
50,000	60,000	260	260	175
60,000	70,000	270	270	185
70,000	80,000	280	280	190
80,000	90,000	295	295	195
90,000	100,000	300	300	200
100,000	200,000	375	375	250
200,000	300,000	450	450	300

(Source: Added at 16 Ill. Reg. 11449, effective July 6, 1992)

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- 1) The Heading of the Part: Surface Installation Health and Safety
- 2) Code Citation: 62 Ill. Adm. Code 220
- 3) Section Numbers Adopted Action
220.190 Amended
- 4) Statutory Authority: Implementing Section 2.12 and 38.2 of The Coal Mining Act (Ill. Rev. Stat. 1991, Ch. 96 1/2, pars. 312, 3802).
- 5) Effective Date of Amendments: July 6, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 6, 1992
- 9) Notice of Proposed Amendments Published in Illinois Register:
16 Ill. Reg. 3316, March 6, 1992
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:

In the Authority Note, the Ill. Rev. Stat. has been updated to 1991.

- 12) Have all changes agreed upon by JCAR and the agency been made as indicated in the agreement letter issued by JCAR to the agency? Yes
- 13) Will these Amendments replace an Emergency Amendment currently in effect?
No
- 14) Are there any amendments pending on this part? No
- 15) Summary and Purpose of Rule(s):

This proposed rulemaking conforms Subsection (v) of Section 220.190, to changes enacted in P.A. 85-1333, effective August 31, 1988, reducing the number of examinations required to be given by the Miners' Examining Board.

This proposed rulemaking also adds a new subsection (bb) to the Department's coal mining health and safety rules governing slope and shaft sinking, authorizing the issuance of temporary certificates for shaft-slope examiners and supervisors. The proposed subsection is identical to a longstanding Department rule filed and adopted under the Illinois Administrative Procedures Act May 7, 1979, that was apparently

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inadvertently omitted during subsequent codification of the Department's rules. All subsections after new subsection (bb) have been renumbered.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Gunnar Gunnarsson
Legal Counsel

Address: 300 W. Jefferson, Suite 300
P.O. Box 10137
Springfield, IL 62791-0137

Telephone: (217) 782-0125

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF MINES AND MINERALS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 62: MINING
CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 220

SURFACE INSTALLATION HEALTH AND SAFETY

Section	
220.10	Introduction and Definitions
220.20	Surface Installations
220.30	Thermal Dryers
220.40	Safeguard for Mechanical Equipment
220.50	Electrical Equipment--General
220.60	Trailing Cables
220.70	Grounding
220.80	Surface High - Voltage Distribution
220.90	Low and Medium - Voltage Alternating Current Circuits
220.100	Ground Control
220.110	Fire Protection
220.120	Mine Maps
220.130	Explosives and Blasting
220.140	Man Hoisting
220.150	Auger Mining
220.160	Loading and Haulage
220.170	Miscellaneous
220.180	Trolley Wires and Trolley Feeder Wires
220.190	Slope and Shaft Sinking
220.200	Surface Bathing Facilities, Change Rooms and Sanitary Flush Toilet Facilities at Surface Coal Mines
220.210	Sanitary Toilet Facilities at Surface Coal Mines
220.220	Drinking Water
220.230	Health and Safety Rules Applicable to Underground Coal Mines

AUTHORITY: Implementing and authorized by Section 2.12 and 38.2 of the Coal Mining Act (Ill. Rev. Stat. 1991, ch. 96 1/2, pars. 312 and 3802).

SOURCE: Filed October 27, 1976, effective November 27, 1976; emergency amendment at 2 Ill. Reg. 19, p. 147, effective May 3, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 19, p. 216, effective May 5, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 20, p. 142, effective May 17, 1979; amended at 4 Ill. Reg. 48, p. 220, effective December 17, 1980; amended at 7 Ill. Reg. 6491, effective May 9, 1983; emergency amendment at 7 Ill. Reg. 12895, effective September 20, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 8915; amended at 8 Ill. Reg. 12313, effective July 5, 1984; amended at 10 Ill. Reg. 224, effective February 7, 1986; amended at 10 Ill. Reg. 8104, effective June 15, 1986; amended at 13 Ill. Reg. 5955, effective April 18, 1989; amended at 13 Ill. Reg. 13220, effective August 7, 1989; corrected at 13 Ill. Reg. 13907; amended at 15 Ill. Reg. 1006, effective January 14, 1991; amended at 16 Ill. Reg. 11463, effective July 6, 1992.

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Section 220.190 Slope and Shaft Sinking

- a) Slopes and Shafts; approval of plans.
Each operator of a coal mine shall comply with Subpart T, Section 77.1900 of the Code of Federal Regulations, Title 30-Mineral Resources, and any amendments, additions, and alterations which may be made with respect to any Section of such subpart at any time subsequent to the filing of these Surface Installation Health and Safety Rules (62 Ill. Adm. Code 220), in preparing any slope and shaft sinking plan, and a copy of such approved plan shall be furnished to the Illinois Department of Mines and Minerals for the approval of the Mining Board.
- b) Compliance with approved slope and shaft sinking plans.
Upon approval by the Mining Board of a slope or shaft sinking plan, the operator shall adopt and comply with same.
- c) Preshift and onshift inspections; reports.
1) Examinations of slope and shaft areas shall be made by a certified shaft-slope examiner for hazardous conditions, including tests for methane and oxygen deficiency;
A) Within ninety (90) minutes before each shift;
B) At least once (1) on any shift during which men are employed inside any slope or shaft; and
C) Both before and after blasting.
- 2) The surface area surrounding each slope and shaft shall be inspected by a certified person and all hazards in the vicinity shall be corrected before men are permitted to enter the excavation.
- 3) All hazards found during any preshift or onshift inspection shall be corrected before men are allowed to enter, or continue to work in such slope or shaft, except those persons necessary to correct those hazards. If hazardous conditions cannot be corrected, or excessive methane concentrations cannot be diluted, the excavation shall be vacated and no person shall be permitted to reenter the slope or shaft to continue excavation operation until the hazardous condition has been corrected.
- 4) No work shall be performed in any slope or shaft, no drilling equipment shall be started, and no electrical equipment shall be energized if the methane content in such slope or shaft is 1.0 volume per centum, or more.
- 5) Nothing in this Section shall prevent the specific assignment of persons in the slope or shaft for purpose of abating excessive methane concentrations or any other hazardous condition.
- 6) The results of all inspections conducted in accordance with this Section shall be recorded daily in a book approved by the Department of Mines and Minerals, and shall be signed by the person making the inspection and shall be countersigned after each examination by a certified shaft-slope supervisor.
- d) Methane and oxygen deficiency tests; approved devices.
Tests for oxygen deficiency shall be made with a permissible flame

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safety lamp or other means approved by the Department of Mines and Minerals, and tests for methane shall be made with a methane detector approved by the Department of Mines and Minerals, or a flame safety lamp.

- e) Diesel powered equipment.
The use of diesel powered equipment underground in shaft and slope sinking operations shall be prohibited. This regulation shall prevail until a final determination has been made by qualified doctors and scientists that there are no injurious effects on workmen engaged in duties requiring the use of diesel powered equipment in slopes and shafts, and until such time that facts of the study currently being jointly conducted by the National Institute for Occupational Health and Safety and the Mining Enforcement and Safety Administration of the United States Department of the Interior are conclusive. At the time when such studies are completed and conclusive with regard to the potential of such injurious effects on workmen, the Mining Board shall reconsider the advisability of the use of such equipment.

- f) Hoists and hoisting; minimum requirements; requirement of compliance with existing statutes and rules.

1) Hoists shall include all hoisting equipment used in the transportation of persons and materials in shaft or slopes. All Federal and state statutes and rules applicable to the hoisting operations shall remain in force and shall be complied with.

2) Hoists employed in transporting persons and material in any slope or shaft shall have rated capacities consistent with the loads to be handled and the recommended safety factors of the ropes used in such hoists. The rated capacity shall be posted within view of the hoist operator.

3) The American National Standards Institute, "Specification for the Use of Wire Ropes for Mines," Mil.1-1960, shall apply in the use, selection, installation, and maintenance of wire ropes. The following static load safety factors shall be used for selecting ropes to be used on hoists and for determining when such ropes shall be removed from hoists:

Length of rope in shaft (feet)	Minimum factor of safety (new rope)	Minimum factor of safety (remove)
500 or less	8	6.4
500 to 1,000	7	5.8
1,000 to 2,000	6	5.0
2,000 to 3,000	5	4.3
3,001 or more	4	3.6

4) Each hoist employed in drilling, mucking, or other excavating operations shall be equipped with an accurate and reliable indicator of the position of the cage, platform, or bucket, which shall be installed in clear view of the hoist operator.

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5) Hoist drive units shall be protected from the weather, and the mechanism that operates the brakes shall be guarded to prevent material or tools from accidentally fouling or jamming the brake system.

g) Communications between shaft and slope bottoms and hoist operations.

1) There shall be at least two (2) effective methods of signaling approved by representatives of the Department of Mines and Minerals, one of which shall be audible to the hoistman at all times. The signaling system in use shall effectively notify all persons in all work areas of the shaft or slope being developed wherever any equipment is moving up or down the slope or shaft. Signal codes used shall be posted conspicuously at the entrance to the slope or shaft, in the working areas of each slope or shaft, and in clear view of the hoistman. Only those persons designated by the operator shall be authorized to operate the signal system in the slope or shaft and all persons in the slope or shaft shall be made aware of who is in charge of signaling the hoistman at all times.

2) Signaling systems used for communication between slopes and shafts and the hoistman shall be tested daily.

h) Hoist safeguards; general.

1) Hoists used to transport persons shall be equipped with brakes capable of stopping and holding the cage, bucket, platform, or other device when fully loaded. Such brakes shall be operated by the hoistman immediately prior to transporting persons. Conveyances shall not be lowered by the brakes alone, except in an emergency.

2) When persons are transported by a hoist or by the hoisting operation a second person familiar with and qualified to stop the hoist shall be in direct and constant attendance, except where the hoist is fully equipped with overspeed, overwind, and automatic stop devices.

3) Overwind devices shall be designed and installed to automatically stop the cage, bucket, or platform before it contacts the head sheave or other positive stopping obstacles under all conditions. Overwind devices shall be tested at the time of installation and prior to initial use by raising the cage, bucket, or platform at maximum speed until the overwind device is actuated.

i) Hoists; inspection.

1) Hoists used to transport persons shall be inspected daily, and each such inspection shall include examination of the headgear (headframe, sheave wheels, etc.), ropes, connections, links and chains, signaling systems, and other facilities.

2) Prior to each working shift and before a hoist is returned to service after it has been out of normal service for any reason, it shall be operated by the hoistman through one (1) complete cycle of operation before any persons or materials are permitted to be transported.

3) The results of all inspections conducted in accordance with this

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section shall be recorded after each inspection in a book approved by the Department of Mines and Minerals, and shall be signed by a person making the inspection and shall be signed or countersigned daily by a certified shaft-slope supervisor required by this Section of this Act.

- j) Hoist construction; general.
- 1) Hoisting ropes shall be equipped with a spelter-filled socket, wedge socket, or thimble with an adequate number of clamps properly spaced and installed along the rope.
 - 2) Slope cars when used for transporting persons shall be provided with two (2) bridle chains or cables connected securely to the rope at least three (3) feet above the socket or at least three (3) feet above the last rope clip if a thimble is used and which shall be securely fastened to the slope car when transporting persons or material.
 - 3) Where hooks are used to attach cages or buckets to the socket or thimble of a hoisting rope, they shall be self-closing.
 - 4) Hoisting ropes shall contain at least three (3) full turns on the hoist drum when the rope is extended to its maximum working length. At least one (1) full turn of the hoist rope shall be placed around the drum shaft or around the spoke of a free drum and both shall be fastened securely by means of clamps.
 - 5) Platforms used for transporting persons shall be equipped with a leveling indicator on the work deck. The platform shall be maintained in a level position at all times except when moving the platform. Self-dumping cages, platforms, or other devices used for transporting persons shall have a locking device to prevent tilting when persons are transported.
 - 6) All suspended work decks in shafts shall be of such construction to prevent overturning in the event of failure of one (1) of the suspension cables.
- k) Hoist installations; use.
- 1) Where persons are transported by means of a hoist and the depth of the shaft exceeds fifty (50) feet, the hoist rope shall be suspended from a substantial hoisting installation which shall be high enough to provide working clearance between the bottom of the sheave and the top of the rope attachment to the conveyance.
 - 2) Where persons are transported by means of a hoist and the depth of the shaft exceeds one hundred (100) feet, temporary shaft guides and guide attachments shall be installed to prevent the cage, platform, or bucket from swinging unless the State Mining Board approves other means which will provide no less than the same degree of protection to the miners.
 - 3) Except for purpose of examination, all guides and guide attachments installed in accordance with paragraph (k)(2) of this Section, shall be maintained to a depth of not less than seventy-five (75) feet from the working area where men are present.
 - 4) Where crossheads are used, the cage, platform, or bucket shall

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- 5) not be hung more than ten (10) feet below the crosshead. Where men are required to embark or disembark over or within a shaft, a loading platform shall be installed to insure safe footing.
 - 6) During the development of each slope or shaft, either a ladder or independently powered auxiliary hoist shall be provided to permit persons to escape quickly in the event of an emergency. At all times where men are on the bottom there shall be a means of access from the shaft bottom to the work deck other than the hoist. A chain ladder for this purpose will be acceptable.
 - 7) No person shall be permitted to ride the rim of any bucket or on the top of a loaded bucket.
 - 8) The maximum number of persons permitted to ride the conveyance at one time shall be posted conspicuously at the point of entrance to the shaft or slope and on the conveyance.
 - 9) Persons shall not be permitted to ride on a cage, skip, or bucket with tools or materials, except when necessary to handle equipment while in transit. Materials shall be secured to prevent shifting while being hoisted.
 - 10) The speed of buckets transporting persons shall not exceed five hundred (500) feet per minute and not more than two hundred (200) feet per minute when within one hundred (100) feet of any stop, and less if required by a representative of the Department of Mines and Minerals.
 - 11) A notice of established speeds shall be posted in clear view of the hoistman.
 - 12) Conveyances being lowered in a shaft in which persons are working shall be stopped at least fifteen (15) feet above such persons and shall be lowered further only after the hoistman has received a signal that all persons who may be endangered by the conveyance are in the clear.
 - 13) No skip or bucket shall be raised or lowered in a slope or shaft until it has been trimmed to prevent material from falling back down the slope or shaft.
 - 14) Measures shall be taken to prevent material from falling back into the shaft while buckets or other conveyances are being unloaded.
 - 15) Properly attached safety belts shall be worn by all persons required to work in or over any shaft where there is a drop of ten (10) or more feet, unless other acceptable means are provided to prevent such persons from falling into the shaft.
- 1) Hoist operator; qualified hoistman.
- 1) Hoists shall be under the control of and operated by a person possessing a certificate of competency as hoist operator issued in accordance with Article 7 of the Illinois Coal Mining Act of 1953 as amended when persons are being transported or are in a slope or shaft. On each shift where persons are employed below the surface, there shall be an additional person so certified present to operate the hoist in case of an emergency.

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- 2) While mines are under construction and a crane or other similar mechanical contrivance is used as a means of raising or lowering men, the operator of such is required to be certified as a hoisting engineer (crane).
- 3) While mines are under construction, hoisting engineers shall not leave their station while persons are underground unless relieved by another hoisting engineer. Any malfunction in the hoist shall be communicated to all employees underground immediately.
- m) Explosives and blasting; use of permissible explosives.
Only permissible explosives as defined in Article 20 of the Illinois Coal Mining Act of 1953 as amended shall be used in sinking shafts and slopes.
- n) Use of nonpermissible explosives; approved by the Department of Mines and Minerals.
When the Department of Mines and Minerals has determined that the use of nonpermissible explosives will not pose a hazard to any person during the development of a slope or shaft, he may, after written application by the operator, approve the use of such explosives and issue a permit setting forth the safeguards to be employed by the operator to protect the health and safety of any person exposed to such blasting.
- o) Uses of nonpermissible shot-firing device.
A shot-firing device approved by the Department of Mines and Minerals may be used providing all persons are removed to a safe location on the surface prior to the connection of the shooting cable to the blasting device.
- p) Explosives and blasting; general.
- 1) Light and power circuits shall be disconnected or removed from the blasting area before charging and blasting.
 - 2) All explosive materials, detonators, and any other related blasting material employed in the development of any slope or shaft shall be stored, transported, carried, charged, and fired in accordance with the provisions of Articles 20 and 28 of the Illinois Coal Mining Act of 1953 as amended, and all shots shall be fired from the surface.
 - 3) All persons shall be removed from the slope or shaft prior to blasting.
 - 4) Blasting areas in slopes or shafts shall be covered with mats or other suitable material when the excavation is too shallow to retain blasted material.
 - 5) Where it is impracticable to prepare primers in the blasting area, only the number of primers needed for one (1) round of shots shall be prepared and remain on the surface in an isolated area under the control of a person qualified to perform such work, designated by the operator. The primers shall be carried into the shaft or slope in specially constructed, insulated, covered containers by such a qualified person designated by the operator.
 - 6) No other development operation shall be conducted in a shaft or

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- at the face of a slope while drill holes are being charged and until after all shots have been fired.
- 7) The sides of the slope or shaft between the overhead platform and the bottom where persons are working shall be examined after each blast and loose material removed.
 - 8) Loose rock and other material shall be removed from timbers and platforms after each blast before persons are lowered to the shaft bottom.
 - 9) In cases where explosives are underground and drill holes are being charged, all work shall be suspended and all persons removed from the shaft or slope upon the approach and presence of an electrical storm and persons shall not return until such danger has passed.
 - q) Ventilation of slopes and shafts.
 - 1) All slopes and shafts shall be ventilated by mechanical ventilation equipment during development. Such equipment shall be examined before each shift. The quantity of air in the slope or shaft shall be measured each shift by a certified slope-shaft examiner, and the results of such examinations and measurements shall be recorded in a book approved by the Department of Mines and Minerals and shall be signed by the person making the examinations and measurements, and countersigned daily by a certified shaft-slope supervisor.
 - 2) Ventilation fans shall be:
 - A) Installed on the surface;
 - B) Installed in noncombustible housing;
 - C) Designed to permit the reversal of the air current, and located in an area which will prevent a recirculation of air from the slope or shaft or air contamination from any other source;
 - D) Equipped with an automatic signal device designed to give an alarm in the event the fan slows or stops which can be seen or heard by any person on duty in the vicinity of the fan, except where fans are constantly attended;
 - E) Offset not less than fifteen (15) feet from the shaft or slope; and
 - F) Equipped with air ducts which are noncombustible and maintained so as to prevent excessive leakage of air:
 - i) Flexible ducts shall be constructed to permit ventilation by either exhausting or blowing methods and when metal air ducts are used, they shall be grounded effectively to remove static and other electrical charges; and
 - ii) Ducts shall extend as close to the bottom as necessary to keep the face clear of dangerous and noxious gases. Face as used in this Section is where excavating is progressing or was last done.
 - 3) A qualified person, designated by the operator, shall be assigned to maintain each ventilating system.

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- 4) The fan shall be operated a sufficient amount of time to clear the air prior to entering the underground area of a shaft or slope by any person and shall be operated continuously when persons are below the surface. Any accidental stoppage or reduction in air flow shall be corrected immediately; development work below the surface shall be stopped, all persons not needed to make necessary corrections to the ventilation system shall be removed to the surface within fifteen (15) minutes of the time the fan stopped or there was a reduction in the air flow, and all persons shall not return to the shaft or slope until an examination has been made by a certified shaft-slope examiner and declared safe.

r) Ladders and stairways.

- 1) Substantial stairways or ladders shall be used during the construction of all shafts where no mechanical means are provided for persons to travel.
- 2) Landings at intervals of not more than thirty (30) feet shall be installed.
- 3) Shaft ladders shall project three (3) feet above the collar of the shaft, and shall be placed at least three (3) inches from the side of the shaft.

s) Electrical Equipment.

- 1) Electric equipment employed below the collar of a slope or shaft shall be permissible and shall be maintained in a permissible condition in accordance with the provisions of the Illinois Coal Mining Act of 1953, as amended and these rules.
- 2) The insulation of all electric conductors employed below the collar of any slope or shaft shall be of the flame-resistant type.

- 3) Only permissible lamps, portable flood-lights, and lighting equipment approved by the U.S. Bureau of Mines under Part 19, Part 20 and Part 26 of Chapter 1 (Bureau of Mines Schedules 6D, 10C, and 29A) or those listed by Underwriter's Laboratories, Inc., for use in hazardous locations, shall be employed below the collar of any slope or shaft.

t) Storage and handling of combustible materials.

- 1) Liquified and nonliquified compressed gas cylinders, oil, gasoline, and other petroleum products shall not be stored within one hundred (100) feet of any slope or shaft opening.
- 2) Other combustible material and supplies shall not be stored within twenty-five (25) feet of any slope, shaft opening, or fan.
- 3) Pyritic slates, bony coal, culm, or other material capable of spontaneous combustion shall not be used for fill or as surfacing material within one hundred (100) feet of any slope or shaft opening.
- 4) Areas surrounding the opening of each slope or shaft shall be constructed to insure the drainage of flammable liquids away from the slope or shaft in the event of spillage.
- 5) Oily rags, wastes, waste paper, and other combustible material

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disposed of within or in the vicinity of any slope or shaft opening shall be stored in closed, noncombustible containers until removed from the area.

u) Welding, cutting, and soldering; fire protection.

- 1) One (1) portable fire extinguisher shall be provided where welding, cutting, or soldering with arc or flame is performed.
- 2) Welding, cutting, or soldering with arc or flame within or in the vicinity of any slope or shaft, except where such operations are performed in fireproof enclosures, shall be done under the supervision of a qualified person who shall make a diligent search within or in the vicinity of the slope or shaft for fire during and after such operations.
- 3) Before welding, cutting, or soldering is performed in any slope or shaft designed to penetrate into any coal bed below the surface, an examination for methane shall be made by a person qualified to conduct such examination with a device approved by the Department of Mines and Minerals for detecting methane. Examinations for methane shall be made immediately before and periodically during welding, cutting, or soldering and such work shall not be permitted to commence or continue in air which contains 1.0 volume per centum or more of methane.
- 4) Noncombustible barriers shall be installed below welding, cutting, or soldering operations in or over a shaft.

v) Certificate of Competency; shaft-slope workers.

- 1) Effective on and after May 1, 1978, no person shall be employed or engaged underground at a shaft, slope, or underground construction operation without having first obtained a Certificate of Competency from the Miners' Examining Board as a Shaft-Slope Worker. A person seeking a Certificate of Competency as Shaft-Slope Worker must produce evidence satisfactory to the Miners' Examining Board that he has had at least six (6) months of experience working in shaft and slope construction; and within six (6) months after becoming eligible he shall appear before the Miners' Examining Board and pass an examination as to his knowledge in the handling and use of explosives, and shall have completed a course in first aid to the injured and in mine rescue methods and in shaft ventilation; except that any such certified shaft-slope worker may have up to three (3) persons working with him and under his direction as apprentices, for the purpose of learning the business of shaft, slope, and underground construction and becoming qualified to obtain Certificates of Competency.

- 2) The Miners' Examining Board shall hold an examination once (1) in each calendar month in at least twelve (12) places located most conveniently with reference to the districts in which coal is mined in the State of Illinois so that all persons in such district or in this State or who may wish to come into this State for the purpose of engaging in mining may be examined as to their competency and qualifications. Public notice of the

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examinations shall be given through the press or otherwise in the discretion of the Mining Board, not less than seven (7) days in advance of such meeting, which notice shall be given by the Mining Board at which any examination under this Act is to be held. The Mining Board shall hold an examination once in each calendar month, and at such other times and at such places as the Director may designate. The Director shall endeavor to schedule examinations at places located most conveniently with reference to the Districts in which coal is mined in the State of Illinois so that all persons in such District or in this State, or who may wish to come into this State for the purpose of engaging in mining, may be examined as to their competency and qualifications. Public notice of the examination shall be given through the press or otherwise no less than 7 days in advance of such meeting, which notice shall fix the time and place at which any examination under this Act is to be held. (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 806.)

3) Each applicant for the certificate provided for in this Section shall receive his certificate upon satisfactorily passing the examination, without payment of fees, except that a fee of two dollars (\$2.00) shall be paid to the Department for additional copies of certificates.

w) Certificate of Competency; shaft-slope examiners.

Effective on and after May 1, 1978, no person shall be employed or engaged as a Shaft-Slope Examiner without having first obtained a Certificate of Competency as a Shaft-Slope Examiner from the Mining Board. Each applicant for a Certificate of Competency as a Shaft-Slope Examiner shall produce evidence satisfactory to the Mining Board that he is of good repute, temperate habits and that he has had at least two (2) years of shaft, slope or underground construction experience. He shall pass an examination as to his experience in underground construction generating dangerous gases, his practical and technological knowledge of the nature and properties of fire damp, the laws of ventilation, the structures and use of safety lamps, and the laws of this State relating to safeguards against fires from any source in underground construction. He shall also submit to the Mining Board satisfactory evidence that he has completed a course of training in first aid to the injured. Persons who hold undergraduate degrees in Civil or Mining Engineering from an accredited school, college, or university or, who have graduated from and hold degrees in a mining engineering program approved by the Mining Board are required to have one (1) year of underground experience in shaft, slope, and underground construction to qualify for the examination for a Certificate of Competency as a Shaft-Slope Examiner.

x) Shaft-Slope Examiners; duties and responsibilities.
The Mining Board may designate functions to be performed by certified shaft-slope examiners in addition to those already assigned to such examiners by these rules.

y) Certificate of Competency; shaft-slope supervisor.

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Effective on and after May 1, 1978, it shall be unlawful for the operator of any shaft, slope, or underground construction operation to have in his service any person that directs the supervisory personnel each shift who does not hold a Certificate of Competency from the Mining Board as a Shaft-Slope Supervisor. Each applicant for a Certificate of Competency as a Shaft-Slope Supervisor shall produce evidence satisfactory to the Mining Board, that he either has had at least three (3) years practical underground experience in shaft, slope, or underground construction, or that he holds an undergraduate degree from an accredited school, college, or university in Civil or Mining Engineering or that he has graduated from and holds a degree in mining engineering program approved by the Mining Board and has eighteen (18) months experience in shaft, slope, and underground construction; that he has satisfactorily completed a course in instruction in first aid to the injured prescribed by the Department; and that he is a man of good repute and temperate habits. He shall also pass such examinations as to his experience in shaft and slope sinking, underground construction, the management of men, his knowledge of shaft and slope construction, machinery and appliances, the properties of mine gases, the principles of ventilation, the legal duties and responsibilities of Shaft-Slope Supervisor, and has acquired a Certificate of Competency as a Shaft-Slope Examiner as prescribed by the rules.

z) Shaft-Slope Supervisor; duties and responsibilities.

A Shaft-Slope Supervisor must be present in the shaft and slope work areas at all times when work is in progress. The Mining Board may designate functions to be performed by the Shaft-Slope Supervisor in addition to those already assigned to such supervisors by these rules.

aa) Applicability of Certifications of Mine Managers, Mine Examiners, and Miners to Shaft and Slope Functions.

Any person who holds a Certificate of Competency from the Mining Board as Mine Manager or Mine Examiner, or who holds a Certificate of Competency from the Miners' Examining Board as a Miner may be permitted to perform the functions of a Shaft-Slope Supervisor, Shaft-Slope Examiner, or Shaft-Slope Worker respectively, if such certificate holder is approved for such shaft-slope functions by the Department. Such certificate holders may perform such functions only until such time as the next examination for certification in the particular category is given.

bb) Temporary Certificate of Competency as Shaft-Slope Examiner or Shaft-Slope Supervisor.

Upon request by the State Mine Inspector of the district, the Mining Board may issue a Temporary Certificate of Competency as Shaft-Slope Examiner or Shaft-Slope Supervisor to any person having the knowledge and time requirements set forth in subsection (w) and (y) above. This temporary certificate will be valid only until the first available examination or six months, whichever is shorter. The Mining Board may issue an extension of Temporary Certificates of Competency as a Shaft-Slope Supervisor only to those persons who take and pass the

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next Shaft-Slope Examiner examinations following the date of their original temporary certification.

cc) Application of the Coal Mining Act of 1953 as amended.

All the provisions of the Illinois Coal Mining Act of 1953 as amended where applicable shall apply to shaft, slope, and underground construction.

eedd) Certificate of competency-hoisting engineer (crane).

- 1) In any mine under construction where a crane or other similar mechanical contrivance is used as a means of raising or lowering persons, for operation of which equipment an electrical hoisting engineer certificate is not required under Section 7.02 of the Act, the Mining Board may grant a certificate to operate such equipment to any person recommended to the Mining Board by the State Mine Inspector of the district. The applicant for such permit shall have filed with the Mining Board satisfactory evidence that the applicant has had at least one (1) year of experience in operating a crane or device of the type to be certified and understands the handling and care of the same. Such application shall be accompanied by statements under oath from at least three (3) persons who are mine managers, examiners, or miners certified by the Board, who affirm from their personal knowledge of the applicant that the applicant is a person of good repute and personal habits, and that the applicant has, from their observation and in the judgment, a good knowledge of an experience in handling devices of the type for which certification is sought.

- 2) Such certificate shall apply only to the mine and device(s) for which it is issued, and shall be valid for a period not to exceed one (1) year, except such certificate may be renewed by the Mining Board from year to year if the person holding same requests renewal, and certifies by sworn statement, affirmed by the State Mine Inspector of the District, that the circumstances and conditions relating to the holder's competency are the same as when the certificate was originally issued, and that the person holding same has operated the equipment for which he or she was certified satisfactorily during the prior term of the certificate.

- 3) Requests for renewal of certificates shall be submitted to the Board at least thirty (30) days in advance of expiration.

- 4) It shall be a violation of this Section for any person to operate hoisting equipment described in paragraph (cc)(1) hereof, to raise or lower men in mines under construction without current, valid certificate of the Board. This Section does not apply to operations expressly exempt from certification under Section 7.03 or subject to Section 7.04 of the Act.

- 5) A certificate issued hereunder is subject to revocation at any time if the holder fails to exercise due care or attention to duty or otherwise does not have the qualifications to hold the certificate. A certificate is subject to temporary suspension by

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a mine inspector if, in the judgement of mine inspector, such suspension is required or advisable to assure the health and safety of any person. In the event of such suspension, the holder is entitled to a prompt hearing by the Board. The Board may revoke a certificate after notice and hearing as provided by Board rules.

(Source: Amended at 16 Ill. Reg. 11463, effective July 6, 1992)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTDEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENT1) Heading of the Part: FEES FOR RADIOACTIVE MATERIAL LICENSES2) Code Citation: 32 Ill. Adm. Code 3313) Section Number:

331.110

331.120

331.130

331.200

Appendix A

Table A

Table B

Table C

Appendix B

Appendix C

Adopted Action:

Amendment

Amendment

Amendment

Repeal

Repeal

Repeal

Amendment

Repeal

4) Statutory Authority: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 (P. A. 87-637, effective January 1, 1992).5) Effective Date of Adopted Amendment: July 7, 19926) Does this rulemaking contain an automatic repeal date? No7) Do these adopted amendments contain incorporations by reference? No8) Date filed in Agency's Principal Office: July 7, 19929) Notice of Proposal Published in the Illinois Register:

February 28, 1992 (16 Ill. Reg. 2984)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No11) Differences between proposal and final version:

In question number three of the notice page, the section numbers and designated actions: "Table A, Repeal; Table B, Repeal; and Table C, Repeal" have been inserted immediately after "Appendix A".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between the Department and the Committee were necessary to resolve Committee questions concerning this rulemaking. A copy of the Agreement letter is attached.

13) Will these adopted amendments replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Adopted Amendments: This Amendment modifies the Department's rules authorizing the collection of fees from persons who apply for or hold radioactive material licenses. Collection of such fees is authorized by the Radiation Protection Act of 1990, as amended by P.A. 87-637, and is necessary to cover, in part, the costs associated with the implementation of radiation safety programs by the Department to ensure the safety of Illinois citizens. This amendment also specifies how the Department will collect fees to cover expenses incurred by the Department in conjunction with monitoring unlicensed properties contaminated with byproduct material as defined in Section 4(a)(2) of the Radiation Protection Act of 1990 and Section 11e(2) of the Atomic Energy Act of 1954, 42 U.S.C. 2014(e)(2) and overseeing decontamination of such properties. This change is authorized by recent amendments to the Radiation Protection Act of 1990.

In addition, this amendment modifies the fee rules to reflect changes in references that are necessary as a result of amendments to 32 Ill. Adm. Code 310 and 330, and the adoption of 32 Ill. Adm. Code 335. This amendment also changes the fee for sealed source and device evaluations to "full cost" and specifies how the Department is to determine the full cost of such evaluations. This amendment eliminates the exemption from fees enjoyed by units of State and local governments to the extent that such entities seek or possess licenses that the rule specifies are to be assessed fees based on the full cost of Department review (e.g., Category 106, 107A and 107D licensees). Further, this amendment specifies when licensees should use the fees specified in the Appendix. Finally, Appendix A, (Tables A, B and C) Schedule of License Fees, is being repealed since that schedule has been replaced by the fee schedule in Appendix B. Appendix C is also being repealed since that information has been incorporated into the text of the rule.

16) Information and questions regarding these adopted amendments shall be directed to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 785-9900 (TDD)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENT

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 32: ENERGY

CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 331

FEES FOR RADIOACTIVE MATERIAL LICENSES

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APPENDIX B Fee Schedule For Radioactive Material Licenses

APPENDIX C Fee Schedule For Sealed Source And Device Evaluations
(Repealed)

AUTHORITY: Implementing and authorized by Section 11 of the Radiation Protection Act of 1990 (P.A. 87-637, effective January 1, 1992).

SOURCE: Adopted at 10 Ill. Reg. 17239, effective September 25, 1986; amended at 11 Ill. Reg. 20570, effective January 1, 1988; amended at 15 Ill. Reg. 90, effective January 1, 1991; amended at 16 Ill. Reg. 11479, effective July 7, 1992.

Section 331.110 Exemptions

No fees as described in Section 331.120 shall be required for:

- a) a general license issued pursuant to 32 Ill. Adm. Code 330.210, 330.220(a), (b), (c), (d), (e), (f), (g), (h) or 330.900(a)(2) and (b)(2).
- b) a license for possession and use of radioactive material applied for by or issued to an agency of a state, county, or municipal government, or any political subdivision thereof, except for. This exemption does not apply to licenses for which the license fee is based on full cost, licenses which authorize distribution of radioactive material, of licenses authorizing services to any person other than an agency or political subdivision of the state, county, or municipal government.
- c) a license for possession and use of radioactive material applied for by or issued to an educational institution as defined in Section

The full text of the Adopted Amendment begins on the next page:

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331.30 where--radioactive--material--specified-in-the-license-is-used primarily for instructional purposes--(i.e.--teaching--and--training). This exemption does not apply to licenses that authorize human use or remunerated services to others.

- d) an application for amendment to amend a materials license for which the license fee is not based on full cost, that would not change the material use category or add additional permanent jobsites.
- e) a license authorizing the use of source material as shielding only in devices and containers, provided, however, that all other licensed material in the device or container will be subject to the fees prescribed in Appendix B of this Part.
- f) an application to change the status of a sealed source or device evaluation from "active" to "inactive". For purposes of this exemption, a sealed source or device evaluation is designated "active" if new sources or devices are being manufactured and/or distributed for use. An evaluation is designated "inactive" when such sources and devices are no longer manufactured for commercial distribution.

(Source: Amended at 16 Ill. Reg. 11479, effective July 7, 1992)

Section 331.120 Payment of Fees

Fees--as-shown-in-the-fee-schedules-of-Appendices-B-and-C-of-this-Part--shall be--assessed--for--applications--for--new--licenses--amendments--to--add--or--change material--use--categories--amendments--to--increase--the--number--of--permanent jobsites--renewals--of--existing--licenses--evaluations--for--new--sealed--sources--and devices--and--amendments--to--existing--sealed--source--and--device--evaluations--in addition--for--licenses--requiring--full--cost--review--fees--as-shown-in-Appendix-B of--this--Part--shall--be--assessed--for--all--amendments--including--minor--amendments to--terminate--the--following--criteria--apply--to--the--determination--of--these--fees for licensing actions and for evaluations of sealed sources and devices shall be assessed and paid as follows:

- a) license-fees: For licenses that Appendix B specifies as being assessed a fixed cost license fee, fees shall be assessed for application for new licenses, amendments to add or change material use categories, amendments to increase the number of permanent jobsites, and renewals of existing licenses. Fixed cost license fees shall be assessed as follows:

- 1) Unless an application for a license or amendment is exempt under Section 331.110, or the license fee is to be based on full costs (see Appendix B), each application for which a fixed fee is prescribed in Appendix B of this Part shall be accompanied by a remittance in the full amount of the fee. No application will be processed prior to payment of the full amount specified.
- 2) For applications covering only one material use category, the prescribed fee shall be the fee for the appropriate category as specified in Appendix B. For licenses covering more than one material use category, the fee shall be 100% of the highest fee

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for a material use category for which a license is sought, plus 30% of the fee listed for each other material use category for which a license is sought.

- 3) Multiple use locations: For additional permanent jobsites where radioactive material is stored or used under the same license, the applicant must submit 20% of the applicable material use category fee for each additional site. The total additional fee submitted for multiple use locations shall not exceed 100% of the application fee for that material use category.
- 4) The license fees listed in Appendix B are assessed for the term of the license.
- 5) A licensee requesting renewal of a license shall pay the license fees specified in Appendix B that will be in effect upon the expiration date of the license. Applications for new licenses or amendments will be assessed fees specified in Appendix B based upon the date the application is received in the Department.

AGENCY NOTE: Although 32 Ill. Adm. Code 330.330 requires licensees to request renewal of a license not less than 30 days prior to the expiration of the existing license, renewal fees will be calculated based upon the fees in effect on the expiration date of the license.

- b) Full--cost--reviews: For licenses that Appendix B specifies are to be assessed fees based on full cost of review, fees shall be assessed for all evaluations, inspections, amendments (including minor amendments and amendments to terminate a license) and for monitoring of unlicensed properties contaminated with byproduct material (as defined in 32 Ill. Adm. Code 332.20) and assessing the decommissioning and decontamination activities at such properties. Fees based on full cost license reviews shall be paid as follows:

- 1) Effective January 1, 1991, for license categories based on full cost review, the licensee will be billed quarterly or when the Department has incurred \$25,000 in unpaid full cost expenses, as defined in Section 331.200(c), whichever is earlier. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.
- 2) Effective January 1, 1991, when the first application, other than an application for a minor amendment, is received from a licensee for which Appendix B specifies that the review charges are based on full costs, the applicant shall submit the deposit prescribed in Appendix B of this Part. The licensee will be billed quarterly or when the Department has incurred \$25,000 in unpaid full cost expenses, as defined in Section 331.200, whichever is earlier. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.
- 3) Applications for minor amendments to licenses subject to full cost reviews as specified in Appendix B, shall pay those fees identified as minor amendment fees at the time the amendment is filed with the Department.

- c) For evaluations of new sealed sources and devices, and amendments to

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existing sealed sources and device evaluations, fees shall be assessed based on the full cost of review. Beginning on the effective date of this amendment, each application for an evaluation of a new sealed source or device, or for an amendment to an existing sealed source or device evaluation, shall be accompanied by a deposit in the amount of \$500.00. The applicant will be billed quarterly or when the Department has incurred \$500 in unpaid full cost expenses, as defined in Section 331.200, whichever is earlier. Each bill will identify the applications and the costs related to each. Payment is due within 45 days of receipt of the bill.

e d) Adding material use categories:

1) An application for amendment to a materials license that would add a material use category with a lower license fee must be accompanied by the total fee due for each new material use category as determined by the following formula:

$$F = 0.06 * N * L$$

where

F = Total fee due.

N = Number of years remaining on the license (partial years count as one full year in this calculation).

L = License fee for the new material use category.

2) An application for amendment to a materials license that would add a material use category with a higher fee must be accompanied by the total fee due as determined by the following formula:

$$F = (0.2 * H * N) - (0.14 * L * N)$$

where

F = Total fee due.

N = Number of years remaining on the license (partial years count as one full year in this calculation).

H = Higher fee required by new material use category.

L = Highest license fee for a material use category currently authorized by the license.

d e) Adding multiple use locations: An application for amendment to a materials license that would increase the number of permanent jobsites must be accompanied by the Total fee due as determined by the following formula:

$$F = 0.04 * H * N * J$$

where

F = Total fee due.

N = Number of years remaining on the license (partial years count as one full year in this calculation).

H = The highest material use category applicable to the intended use of material at the new permanent jobsite.

J = The number of permanent jobsites to be added. If there are 5 or more permanent jobsites, then J is equal to 5.

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AGENCY NOTE: Although a licensee may have more than 5 permanent jobsites, the maximum additional fee for multiple permanent jobsites is the license fee for the highest material use category applicable at the permanent jobsite.

e) Sealed-source-and-device-evaluations:

1) Requests-for-a-sealed-source-or-device-evaluation-shall-be accompanied-by-the-appropriate-fee-as-specified-in-Appendix-B-of this-Part:

2) Requests-to-amend-a-sealed-source-or-device-evaluation-must-be accompanied-by-the-appropriate-fee-as-specified-in-Appendix-B-of this-Part:

f) Reciprocity fees: Each application for reciprocal recognition of an out-of-state license under 32 Ill. Adm. Code 330.900(a)(1) or (b)(1) shall be accompanied by a remittance of 20% of the license fee for the applicable material use category indicated in Appendix B of this Part. However, such fee is not required if the applicant has paid to the Department a reciprocity fee for that license within 12 months prior to the date of commencement of the proposed activity and the proposed activity will not extend past 12 months from the receipt of the reciprocity fee the applicant has paid.

g) Fee payments: Payments shall be by check or money order made payable to the Illinois Department of Nuclear Safety.

(Source: Amended at 16 Ill. Reg. 11479, effective July 7, 1992)

Section 331.130 Refunds

The following rules will be followed by the Department when calculating refunds to licensees and applicants for materials licenses:

a) For licenses for which a fixed fee is prescribed in Appendix B, in the event that the Department terminates a license at the request of the licensee prior to the expiration date, the Department will issue a prorated refund of the license fees for each remaining full year for which the license fee was paid.

b) For licenses for which a fixed fee is prescribed in Appendix B, in the event that the applicant withdraws, or the Department abandons or denies an application prior to issuance of the license document, sealed-source-evaluation-or-device-evaluation, the Department will issue a refund totalling 80% of the total fee submitted for that license action.

c) For licenses for which the license fee is based on full cost review, and for applications for sealed source and device evaluations, in the event that the applicant withdraws, or abandons, or the Department denies an application prior to issuance of the evaluation sheet or initial license, the Department will issue a refund totalling the deposit submitted for that application minus the full cost expenses incurred but not paid by the applicant. In the event the expenses incurred exceed the deposit, the applicant will be billed for the

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unpaid balance of full cost expenses as defined in Section 331.200. Each bill will identify the application and the related costs. Payment is due within 45 days of receipt.

- d) For licenses for which the fee is based on full cost review, and for sealed source and device evaluations, upon termination of the license or issuance of a sealed source or device evaluation sheet, the Department will issue a refund totalling the deposit submitted, minus any outstanding full cost expenses. In the event that expenses incurred exceed the deposit, the applicant will be billed for the unpaid balance of full cost expenses as defined in Section 331.200. Each bill will identify the applications and the related costs. Payment is due within 45 days of receipt.

(Source: Amended at 16 Ill. Reg. 11479, effective July 7, 1992)

Section 331.200 Full Cost of Review

Fees for licenses, amendments, renewals to terminate a license, and renewals, evaluations for new sealed sources and devices, and amendments to existing sealed source and device evaluations, which are to be based on the full cost of review-as-specified-in-Appendix-B, will be calculated based on the following:

- a) the time required by Departmental professional staff to conduct the review, including license file review, related travel expenses time, correspondence preparation, and supervisory and management review of specific actions, multiplied by the rate of \$75.00 per hour; and
- b) the time required by Departmental professional staff to conduct inspections or perform confirmatory environmental monitoring, including license file review, related travel expenses time, correspondence preparation, and supervisory and management review of specific actions, multiplied by the rate specified in subsection (a) above; and
- c) for licenses authorizing the possession and use of source material (as defined in 32 Ill. Adm. Code 310.20) and byproduct material (as defined in 32 Ill. Adm. Code 332.20), the Department's cost for overseeing decontamination activities at unlicensed properties contaminated with byproduct material, including, but not limited to, travel time, correspondence preparation, supervisory and management review of specific actions, multiplied by the rate specified in subsection (a) above; and
- d) the cost of standard lab equipment and supplies, special environmental monitoring equipment, and servicing of such equipment; and
- e) the contractual support service costs, if any, incurred by the Department in conjunction with the review, inspections, and confirmatory environmental monitoring activities.

AGENCY NOTE: These support service costs may include, but are not limited to, rental of specialized equipment, acquisition of additional professional expertise not available within the Department, and

Laboratory fees charged to the Department.

(Source: Amended at 16 Ill. Reg. 11479, effective July 7, 1992)

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Section 331.APPENDIX A Schedule of License Fees (Repealed)

Section 331.TABLE A License Fees - Jan. 1, 1988 - Dec. 31, 1988 (Repealed)

Category-of-materials-licenses-and-type-of-fee(1)-----Fee(2)

1---Special-Nuclear-Material:

d: Licenses-for-possession-and-use-of-special
nuclear-material-in-sealed-sources
contained-in-devices-used-in-industrial
measuring-systems:

Application-New-license:-----	\$	547
Renewal:-----		389
Amendment:-----		72
K: All-other-special-nuclear-material licenses(4):		
Application-New-license:-----	\$	17656
Renewal:-----		17656
Amendment:-----		144

2---Source-Material:

E: Licenses-for-refining-uranium-mill
concentrates-to-uranium-hexafluoride:

Application-New-license:-----	\$	180
Renewal:-----		Full-Cost +137800
Amendment:-----		Full-Cost +137800
Application-New-license:-----	\$	180
Renewal:-----		Full-Cost +137800
Amendment:-----		Full-Cost +137800
Application-New-license:-----	\$	180
Renewal:-----		Full-Cost +137800
Amendment:-----		Full-Cost +137800

B: Licenses-for-possession-and-use-of-source
material-in-ore-buying-stationary
ion-exchange-facilities-and-the-processing
of-ores-containing-source-material-for
extraction-of-metals-other-than-uranium-or
thorium-excluding-licenses-authorizing-the
possession-of-byproduct-waste-material
(tailings)-from-source-material-recovery
operations:

Application:-----	\$	180
License:-----		Full-Cost +77000
Renewal:-----		Full-Cost +77000
Amendment:-----		Full-Cost +77000
Application:-----	\$	180
License:-----		Full-Cost +77000
Renewal:-----		Full-Cost +77000
Amendment:-----		Full-Cost +77000

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P: Licenses-for-possession-and-use-of-source
material-for-shielding-except-as-provided
for-in-Section-331-110(d):

Application-New-license:-----	\$	274
Renewal:-----		274
Amendment:-----		72

G: All-other-source-material-licenses(4):

Application-New-license:-----	\$	17637
Renewal:-----		864
Amendment:-----		144

3---Byproduct-material-and/or-NARM:

A: Licenses-of-broad-scope-for-possession-and
use-of-byproduct-material-and/or-NARM
issued-pursuant-to-32-III-Adm-Code-330
for-processing-or-manufacturing-of-items
containing-byproduct-material-and/or-NARM
for-commercial-distribution-to
licensees(4):

Application-New-license:-----	\$	87554
Renewal:-----		77048
Amendment:-----		144

B: Other-licenses-for-possession-and-use-of
byproduct-material-and/or-NARM-issued
pursuant-to-32-III-Adm-Code-330-for
processing-or-manufacturing-of-items
containing-byproduct-material-and/or-NARM
for-commercial-distribution-to
licensees(4):

Application-New-license:-----	\$	47118
Renewal:-----		47118
Amendment:-----		144

C: Licenses-issued-pursuant-to-32-III-Adm-
Code-330-authorizing-the-processing-or
manufacture-and-distribution-of
radiochemicals-generators-reagent
kits-and/or-sources-and-devices-containing
byproduct-material-and/or-NARM(4):

Application-New-license:-----	\$	47320
Renewal:-----		47320
Amendment:-----		276

B: Licenses-issued-pursuant-to-32-III-Adm-
Code-330-authorizing-distribution-of
radiochemicals-generators-reagent
kits-and/or-sources-or-devices-not
involving-processing-of-byproduct-material
and/or-NARM(4):

Application-New-license:-----	\$	27340
Renewal:-----		27340
Amendment:-----		144

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B- licenses---for---possession---and---use---of
byproduct-material-and/or---NARM---in---sealed
sources---for---irradiation---of---materials---in
which---the---source---is---not---removed---from---its
shield---(self-shielded-units):
Application-New-license:..... § 835
Renewal:..... 749
Amendment:..... 144

P- licenses---for---possession---and---use---of---less
than-10-000-curies---of---byproduct-material
and/or---NARM---in---sealed---sources---for
irradiation---of---materials---in---which---the
source---is---exposed---for---irradiation
purposes:
Application-New-license:..... § 2,779
Renewal:..... 2,448
Amendment:..... 276

G- licenses---for---possession---and---use---of---10-000
curies---or---more---of---byproduct-material-and/or
NARM---in---sealed---sources---for---irradiation---of
materials---in---which---the---source---is---exposed
for---irradiation---purposes:
Application-New-license:..... § 6,768
Renewal:..... 4,795
Amendment:..... 276

H- licenses-issued-pursuant-to-32-iii-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM-that-require
device-review-to-persons-exempt-from-the
licensing-requirements-of-32-iii-Adm-Code-
330-except-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
exempt-from-the-licensing-requirements-of
32-iii-Adm-Code-330-14)
Application-New-license:..... § 1,606
Renewal:..... 1,102
Amendment:..... 144

I- licenses-issued-pursuant-to-32-iii-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM---or
quantities-of-byproduct-material-and/or
NARM---that-do-not-require-device-evaluation
to-persons-exempt-from-the-licensing
requirements-of-32-iii-Adm-Code-330
except-for-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
exempt-from-the-licensing-requirements-of

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32-iii-Adm-Code-330-14)
Application-New-license:..... § 92
Renewal:..... 835
Amendment:..... 72

d- licenses-issued-pursuant-to-32-iii-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM-that-require
sealed-source-and/or-device-review-to
persons-generally-licensed-under-32-iii-
Adm-Code-330-except-specific-licenses
authorizing-redistribution-of-items-that
have-been-authorized-for-distribution-to
persons-generally-licensed-under-32-iii-
Adm-Code-330-14)
Application-New-license:..... § 2,750
Renewal:..... 1,700
Amendment:..... 276

K- licenses-issued-pursuant-to-32-iii-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM---or
quantities-of-byproduct-material-and/or
NARM---that-do-not-require-sealed-source
and/or-device-review-to-persons-generally
licensed-under-32-iii-Adm-Code-330-except
for-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
generally-licensed-under-32-iii-Adm-Code-
330-14)
Application-New-license:..... § 1,710
Renewal:..... 1,123
Amendment:..... 72

L- licenses-of-broad-scope-for-possession-and
use---of---byproduct-material---and/or---NARM
issued-pursuant-to-32-iii-Adm-Code-330
for-research-and-development-that-do-not
authorize-commercial-distribution:
Application-New-license:..... § 2,736
Renewal:..... 2,016
Amendment:..... 144

M- Other-licenses-for-possession-and-use-of
byproduct-material-and/or-NARM-issued
pursuant-to-32-iii-Adm-Code-330-for
research-and-development-that-do-not
authorize-commercial-distribution:
Application-New-license:..... § 1,700
Renewal:..... 1,752
Amendment:..... 144

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N: Licenses that authorize services for other licensees, except for leak testing and waste disposal pickup services.

Application-New license..... \$ 17670
Renewal..... 17670
Amendment..... 144

0: Licenses for possession and use of byproduct material and/or NARM issued pursuant to 32 Ill. Adm. Code 330 for industrial radiography operations.

Application-New license..... \$ 47824
Renewal..... 47824
Amendment..... 236

P: All other specific byproduct material and/or NARM licenses, except those in categories 4A through 8.(4)

Application-New license..... \$ 17591
Renewal..... 17433
Amendment..... 72

4. Waste disposal:

A: Licenses specifically authorizing the receipt of waste byproduct material and/or NARM source material or special nuclear material from other persons for the purpose of commercial disposal by land burial by the licensee or licenses authorizing contingency storage of low-level radioactive waste at the site of nuclear power reactors or licenses for treatment or disposal by incineration packaging of residues resulting from incineration and transfer of packages to another person authorized to receive or dispose of waste material.

Application..... \$ 100
License..... cost-of-inspection
(5)
Renewal..... Pull-cost+full
cost-of-inspection
(5)
Amendment..... Pull-cost

B: Licenses specifically authorizing the receipt of waste byproduct material and/or NARM source material or special nuclear material from other persons for the purpose of packaging or repackaging the material; the licensee will dispose of the material by transfer to another person authorized to

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receive or dispose of the material:

Application-New license..... \$ 97216
Renewal..... 97539
Amendment..... 420

0: Licenses specifically authorizing the receipt of prepackaged waste byproduct material and/or NARM source material or special nuclear material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.

Application-New license..... \$ 47003
Renewal..... 37326
Amendment..... 144

B: All other waste disposal licenses:

Application..... \$ 100
License..... Pull-cost+full
cost-of-inspection
(5)
Renewal..... Pull-cost+full
cost-of-inspection
(5)
Amendment..... Pull-cost

5. Well logging:

A: Licenses specifically authorizing use of byproduct material and/or NARM source material and/or special nuclear material for well logging, well surveys, and tracer studies other than field flooding tracer studies.

Application-New license..... \$ 17900
Renewal..... 17900
Amendment..... 204

B: Licenses specifically authorizing use of byproduct material and/or NARM for field flooding tracer studies:

Application..... \$ 100
License..... Pull-cost
+960
Renewal..... Pull-cost
+960
Amendment..... Pull-cost

6. Nuclear laundries:

Licenses for commercial collection and laundry of items contaminated with byproduct material and/or NARM source material or special nuclear material.

Application-New license..... \$ 27260

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- (b) Safety-evaluation-of-devices-or-products-containing-byproduct material-and/or-NARM-source-material-or-special-nuclear material-manufactured-in--accordance-with--the--unique specifications-of-and-for-use-by-a-single-applicant; Application-each-device----- \$ 17152
Amendment-each-device----- 348
- (c) Safety-evaluation-of-sealed-sources-containing-byproduct-material and/or-NARM-source-material-or-special-nuclear-material-for commercial-distribution; Application-each-source----- \$ 594
Amendment-each-source----- 144
- (d) Safety-evaluation-of-sealed-sources-containing-byproduct-material and/or-NARM-source-material-or-special-nuclear-material manufactured-in-accordance-with-the-unique-specification-of-and-for-use-by-a-single-applicant; Application-each-source----- \$ 252
Amendment-each-source----- 72
- (5) Full-costs-of-inspection(not-to-be-charged-for-more-than-one-full inspection-per-year)---the-fees-assessed-will-be-determined-based upon:
(a) the-professional-staff-time-required-to-conduct-the-inspection multiplied-by-the-rate-shown-in-Section-331-200;-and
(b) any-extraordinary-contractual-support-expenses-incurred-by-the Department-in-conjunction-with-the-inspection-such-as-rental-of specialized-equipment;-acquisition-of-additional-professional expertise-not-available-within-the-Department;-and-laboratory fees-charged-to-the-Department.

(Source: Repealed at 16 Ill. Reg. 11479, effective July 7, 1992)

Section 331. TABLE B License Fees - Jan. 1, 1989 - Dec. 31, 1989
(Repealed)

Category-of-materials-licenses-and-type-of-the-fee-(1)-----Fee(2)	
1.---Special-Nuclear-Material:	
a. Licenses-for-possession-and-use-of-special nuclear-material-in-sealed-sources contained-in-devices-used-in-industrial measuring-systems:	
Application-New license-----	\$ 656
Renewal-----	467
Amendment-----	86
K. All-other-special-nuclear-material licenses:(4)	
Application-New license-----	17987
Renewal-----	17987
Amendment-----	179

- and-the-additional-renewal-fee-for-each-category-shall-be-due upon-notification-by-the-Department-in-accordance-with-the procedures-specified-in-Section-331-120(d)---the-renewal-fees listed-in-Appendix-A-are-based-on-a-5-year-renewal-term-in-those situations-where-a-license-is-renewed-for-less-than-5-years---a prorated-portion-of-the-renewal-fee-will-be-refunded-by-the Department-to-the-licensee.
- d) Amendment-fees---Applications-for-amendments-must-be-accompanied by-the-prescribed-amendment-fee-for-each-category-unless-the amendment-is-applicable-to-two-or-more-fee-categories-in-which case-the-amendment-fee-for-the-highest-fee-category-would-apply except-that-applications-for-amendment-of-licenses-in-fee categories-2B;-2B7;-4A7;-4B7;-and-5B-must-be-accompanied-by-an application-fee-of-\$180-with-the-balance-due-upon-notification-by the-Department-in-accordance-with-Section-331-120(c)---An application-for-amendment-to-a-materials-license-that-would-place the-license-in-a-higher-fee-category-or-add-a-new-fee-category must-be-accompanied-by-the-prescribed-application-fee-for-the-new category-except-for-an-application-for-amendment-to-increase-the scope-of-a-licensed-program-in-fee-categories-2C-and-2B7-in-which case-the-licenses-shall-pay-the-application-fee-of-\$180;-and-the license-fee-for-the-higher-fee-category-shall-be-due-upon completion-of-the-licensing-review-An-application-for-amendment to-a-license-that-would-reduce-the-scope-of-a-licensee's-program to-a-lower-fee-category-must-be-accompanied-by-the-prescribed amendment-fee-for-the-lower-fee-category-except-in-fee categories-2C-and-2B7-in-which-case-the-licensee-shall-pay-an application-fee-of-\$180;-and-the-license-fee-for-the-lower-fee category-shall-be-due-upon-completion-of-the-licensing-review.
- (2) Fees-will-not-be-charged-for-orders-issued-by-the-Department-not-for amendments-resulting-from-such-Department-orders.
- (3) Full-costs-of-inspection-for-amendment-to-terminate-license(not-to-be charged-for-more-than-one-full-inspection-per-year)-the-fees-assessed will-be-determined-based-upon:
(a) the-professional-staff-time-required-to-conduct-the-inspection multiplied-by-the-rate-shown-in-Section-331-200;-and
(b) any-appropriate-contractual-support-service-costs.
- (4) If-the-license-is-to-include-authorizations-to-distribute-devices; products;-or-sealed-sources;-in-addition-to-the-fee-stated-above;-the license-fee-submitted-shall-also-include-the-applicable-fee-described below:
(a) Safety-evaluation-of-devices-or-products-containing-byproduct material-and/or-NARM-source-material-or-special-nuclear material-for-commercial-distribution; Application-each-device----- \$ 27384
Amendment-each-device----- 696

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

2.---Source-material:

- E- Licenses-for-refining-uranium-mill concentrates-to-uranium-hexafluoride:

Application.....
License.....

\$ 216

Full-Cost.....

+167560

Renewal.....

Full-Cost.....

+167560

Amendment.....

Full-Cost.....

+167600

Amendment-to-terminate-license.....

Full-cost-of inspection-(3)

- B- Licenses-for-possession-and-use-of-source material-in---ore---buying---stations, ion-exchange-facilities-and-the-processing of-ores-containing-source-material-for extraction-of-metals-other-than-uranium-or thorium-excluding-licenses-authorizing-the possession--of-byproduct-waste-material (tailings) from--source-material-recovery operations:

Application.....

Full-Cost.....

+97360

Renewal.....

Full-Cost.....

+97360

Amendment.....

Full-cost-of inspection-(3)

Full-cost-of inspection-(3)

- P- Licenses-for-possession-and-use-of source-material-for-shielding-except-as provided-for-in-Section-331-110(d):

Application-New-license.....

\$ 329

Renewal.....

\$ 329

Amendment.....

\$ 86

All-other-source-material-licenses-(4)

Application-New-license.....

\$ 17244

Renewal.....

\$ 17037

Amendment.....

\$ 173

3.---Byproduct-material-and/or-NARM:

- A- Licenses-of-board-scope-for-possession-and use-of-byproduct-material-and/or-NARM issued-pursuant-to-32-III-Adm-Code-330 for-processing-or-manufacturing-of-items containing-byproduct-material-and/or-NARM for---commercial---distribution---to licensees-(4)

Application-New-license.....

\$ 107265

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

Renewal.....

97410

Amendment.....

173

- B- Other---licenses---for---possession-and-use-of byproduct-material-and/or---NARM---issued pursuant-to-32-III-Adm-Code-330-for processing-or---manufacturing-of---items containing-byproduct-material-and-/or-NARM for---commercial---distribution---to licensees-(4)

Application.....

\$ 47942

Renewal.....

47942

Amendment.....

173

- E- Licenses-issued-pursuant-to-32-III-Adm-Code-330-authorizing-the-processing-or manufacture-and-distribution-of---radio-pharmaceuticals,---generators,---reagent-kits and/or-source-and-devices-contain-ing byproduct-material-and/or-NARM-(4)

Application-New-license.....

\$ 57104

Renewal.....

57104

Amendment.....

331

- B- Licenses-issued-pursuant-to-32-III-Adm-Code-330-authorizing---distribution-of radiopharmaceuticals,---generators,---reagent kits-and/or---sources---or---devices---not involving---processing-of-byproduct-material and/or-NARM-(4)

Application-New-license.....

\$ 27000

Renewal.....

27000

Amendment.....

173

- B- Licenses---for---possession---and---use---of byproduct-material---and/or---NARM---in-sealed sources-for---irradiation---of---materials---in which---the---source---is---not---removed---from---its shield-(self-shielded-units):

Application-New-license.....

\$ 17002

Renewal.....

899

Amendment.....

173

- P- Licenses-for-possession-and-use-of less than-10,000-curies-of-byproduct-material and/or-NARM-in-sealed-sources-for irradiation-of-materials-in-which-the source-is-exposed-for-irradiation purposes:

Application-New-license.....

\$ 37335

Renewal.....

27930

Amendment.....

331

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

8- Licenses-for possession-and-use-of--107000
curies-or-more-of-byproduct-material-and/or
NARM--in-sealed-sources-for-irradiation-of
materials-in-which-the-source-is-exposed
for-irradiation-purposes:

Application-New-license:-----
Renewal:-----
Amendment:-----

87122
57754
331

H- Licenses-issued-pursuant-to-32-III-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM-that-require
device-review-to-persons-exempt-from-the
licensing-requirements-of-32-III-Adm-Code
330-except-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
exempt-from-the-licensing-requirements-of
32-III-Adm-Code-330:(4)

Application-New-license:-----
Renewal:-----
Amendment:-----

17927
17322
173

I- Licenses-issued-pursuant-to-32-III-Adm-
code-330-to-distribute-items-containing
byproduct-material-and/or-NARM--or
quantities-of-byproduct-material-and/or
NARM-that-do-not-require-device-evaluation
to-persons-exempt-from-the-licensing
requirements-of-32-III-Adm-Code-330
except-for-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
exempt-from-the-licensing-requirements-of
32-III-Adm-Code-330:(4)

Application-New-license:-----
Renewal:-----
Amendment:-----

17106
17002
86

J- Licenses-issued-pursuant-to-32-III-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM-that-require
sealed-source-and/or-device-review-to
persons-generally-licensed-under-32-III-
Adm-Code-330-except-specific-licenses
authorizing-redistribution-of-items-that
have-been-authorized-for-distribution-to
persons-generally-licensed-under-32-III-
Adm-Code-330:(4)

Application-New-license:-----
Renewal:-----
Amendment:-----

37024
27160
331

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

K- Licenses-issued-pursuant-to-32-III-Adm-
Code-330-to-distribute-items-containing
byproduct-material-and/or-NARM--or
quantities-of-byproduct-material-and/or
NARM-that-do-not-require-sealed-source
and/or-device-review-to-persons-generally
licensed-under-32-III-Adm-Code-330-except
for-specific-licenses-authorizing
redistribution-of-items-that-have-been
authorized-for-distribution-to-persons
generally-licensed-under-32-III-Adm-Code
330:(4)

Application-New-license:-----
Renewal:-----
Amendment:-----

17452
17348
86

L- Licenses-of-broad-scope-for-possession-and
use-of-byproduct-material-and/or-NARM
issued-pursuant-to-32-III-Adm-Code-330
for-research-and-development-that-do-not
authorize-commercial-distribution:

Application-New-license:-----
Renewal:-----
Amendment:-----

37283
27419
173

M- Other-licenses-for-possession-and-use-of
byproduct-material-and/or-NARM-issued
pursuant-to-32-III-Adm-Code-330-for
research-and-development-that-do-not
authorize-commercial-distribution:

Application-New-license:-----
Renewal:-----
Amendment:-----

27290
17074
173

N- Licenses-that-authorize-services-for-other
licensees-except-for-leak-testing-and
waste-disposal-pickup-services:

Application-New-license:-----
Renewal:-----
Amendment:-----

27004
27004
173

O- Licenses-for-possession-and-use-of
byproduct-material-and/or-NARM-issued
pursuant-to-32-III-Adm-Code-330-for
industrial-radiography-operations:

Application-New-license:-----
Renewal:-----
Amendment:-----

57789
57789
331

P- All-other-specific-byproduct-material
and/or-NARM-licenses-except-those-in
categories-4A-through-6:(4)

Application-New-license:-----
Renewal:-----

17909
17720

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

material--and/or--NARM, source-material--or
special-nuclear-material--in-sealed--sources
contained--in--telettherapy-devices:

Application-New-Licenses----- 0 5730
Renewal----- 47406
Amendment----- 373

2r Other--licenses--issued-pursuant-to-32-111r
Adm-Code-330-for-human-use--of--byproduct
material--and/or--NARM,--source-material
and/or--special-nuclear-material--except
licenses--for--byproduct-material--and/or
NARM,--source-material--or--special-nuclear
material--in--sealed--sources--contained--in
telettherapy-devices:

Application-New-Licenses----- 0 27304
Renewal----- 27304
Amendment----- 173

8r Civil-defense:

licenses--for--possession-and-use-of
byproduct-material-and/or-NARM,--source
material--or--special-nuclear-material
for--civil-defense-activities:

Application-New-Licenses----- 0 899
Renewal----- 794
Amendment----- 86

12r General-licenses-as-specified-in-32-111r-Adm-Code
330-220-(h)-and-(i):

Application-New-Licenses----- 0 368
Renewal----- 368
Amendment----- 36

13r Reciprocal-recognition-of-licenses-as
specified-in-32-111r-Adm-Code

330-900(a)(1)-and-330-900(b)(1):----- 200-of
application-new
license--fee-of
applicable
categories

14r Additional-permanent-sites-where
radioactive-material-is-stored-or-used
under-some-licenses----- 200-of
applicable--fee
excluding
amendment--fee
not--to--exceed
an--additional
100r

AGENCY-NOTES:

(1) Types-of-fees---Separate-charges-as-shown--in--the--schedule--will--be
assessed--for-applications-for-new-licenses--issuance-of-new-licenses

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

amendments--amendments-to-terminate-a-license-and-renewal-to-existing
licenses--the-following-guidelines-apply-to-these-changes:

(a) Application-fees---Applications-for-materials-licenses-must-be
accompanied-by-the-prescribed-application-fee---For-licenses
covering-only-one-category-the-prescribed-fee-shall-be-the-fee
for-the-appropriate-category-identified-in-Appendix-A---For
licenses-covering-more-than-one-fee-category-the-fee-shall-be
100%--of--the-fee-listed-for-the-highest-fee-category-for-which-a
license-is-sought-plus-30%--of--the-fee-listed-for-each-other
category--for-which-a-license-is-sought---The-application-fee
listed-in-Appendix-A-are-based-on-a-5-year-license-term---In
those-situations-where-a-license-is-issued-for-less-than-5-years
a-pro-rated-portion-of-the-application-fee-will-be-refunded-by-the
Department-to-the-licensor

(b) License-fees---For-new-licenses-issued-in-fee-categories-26r-28r
4Ar-4Br-and-5Br-the-recipient-shall-pay-the-license-fee-for-each
category--as-determined-by-the-Department--in-accordance-with
Section-331-120(b)-and-(c)-except-that-a-license-covering-more
than-one-fee-category-of-source-material-in-fee-categories-26r-and
28r-must-pay-a-license-fee-for-the-highest-fee-category-assigned
to-the-licensor

(c) Renewal-fees---Applications-for-renewal-of-materials-licenses
must-be-accompanied-by-the-prescribed-renewal-fee-except-that
applications-for-renewals-of-licenses-covering-more-than-one-fee
category-must-be-accompanied-by-the-prescribed-renewal-fee-for
the-highest-fee-category-for-which-a-license-renewal-is-sought
and-30%--of--the-renewal-fee-for-each-of-the-other-fee-categories
for-which-licenses-renewal-is-sought---Applications-for-renewal
of-licenses-in-fee-categories-26r-28r-4Ar-4Br-and-5Br-must-be
accompanied-by-an-application-fee-of-\$216-for-each-fee-category
and-the-additional-renewal-fee-for-each-category-shall-be-due
upon-notification-by-the-Department--in-accordance-with-the
procedures-specified-in-Section-331-120(d)---The-renewal-fee
listed-in-Appendix-A-are-based-on-a-5-year-renewal-term---In
those-situations-where-a-license-is-renewed-for-less-than-5
years-a-pro-rated-portion-of-the-renewal-fee-will-be-refunded-by
the-Department-to-the-Department-to-the-licensor

(d) Amendment-fees---Applications-for-amendments-must-be-accompanied
by-the-prescribed-amendment-fee-for-each-category-unless-the
amendment-is-applicable-to-two-or-more-fee-categories--in-which
case-the-amendment-fee-for-the-highest-fee-category-would-apply
except-that-applications-for-amendment-of-licenses-in-fee
categories-26r-28r-4Ar-4Br-and-5Br-must-be-accompanied-by-an
application-fee-of-\$216-with-the-balance-due-upon-notification-by
the-Department--in-accordance-with-the-Section-331-120(e)---An
application-for-amendment-to-a-materials-license-that-would-place
the-license-in-a-higher-fee-category-or-add-a-new-fee-category
must-be-accompanied-by-the-prescribed-application-fee-for-the-new
category-except-for-an-application-for-amendment-to-increase-the

scope-of-a-licensed-program-in-fee-categories-20-and-2B,-in-which
case-the-licensor-shall-pay-the-application-fee-of-3216,-and--the
license-fee-for--the-higher-fee-category-shall-be-due-upon
completion-of-the-licensing-review.-An-application-for-amendment
to-a-licensor-that-would-reduce-the-scope-of-a-licensor's-program
to-a-lower-fee-category-must-be-accompanied-by-the-prescribed
amendment-fee-for-the-lower-fee-category-except-in-fee
categories-20-and-2B,-in-which-case-the-licensor-shall-pay-an
application-fee-of-Section-216,-and-the-license-fee-for-the-lower
fee-category-shall-be-due-upon-completion-of-the-licensing
review.-Applications-to-terminate-licenses-authorizing-small
materials-programs-when-no-dismantling-or-decontamination
procedure-is-required-shall-not-be-subject-to-fees.

(2) Fees-will-not-be-charged-for-orders-issued-by-the-Department-for
amendments-resulting-from-such-Department-orders.

(3) Full-costs-of-inspection-for-amendment-to-terminate-license-(not-to-be
charged-for-more-than-one-full-inspection-per-year)-The-fees
assessed-will-be-determined-based-upon:

(a) the-professional-staff-time-required-to-conduct-the-inspection
multiplied-by-the-rate-shown-in-Section-331.200,-and

(b) any-appropriate-contractual-support-service-costs.

(4) If-the-licensor-is-to-include-authorizations-to-distribute-devices,
products,-or-sealed-sources-in-addition-to-the-fee-stated-above,-the
license-fee-submitted-shall-also-include-the-applicable-fee-described
below:

(a) Safety-evaluation-of-devices-or-products-containing-byproduct
material-and/or-NAM,-source-material,-or-special-nuclear
material-for-commercial-distribution

Application-each-device..... \$ 2765
Amendment-each-device..... 835

(b) Safety-evaluation-of-devices-or-products-containing-byproduct
material-and/or-NAM,-source-material,-or-special-nuclear
material-manufactured-in--accordance-with-the-unique
specifications-of-and-for-use-by-a-single-applicant:

Application-each-device..... \$ 17302
Amendment-each-device..... 418

(c) Safety-evaluation-of-sealed-sources-containing-byproduct-material
and/or-NAM,-source-material,-or-special-nuclear-material-for
commercial-distribution

Application-each-source..... \$ 605
Amendment-each-source..... 179

(d) Safety-evaluation-of-sealed-sources-containing-byproduct-material
and/or-NAM,-source-material,-or-special-nuclear-material
manufactured-in-accordance-with-the-unique-specification-of-and
for-use-by-a-single-applicant:

Application-each-source..... \$ 302
Amendment-each-source..... 86

(5) Full-costs-of-inspection-(not-to-be-charged-for-more-than-one-full
inspection-per-year)-The-fees-assessed-will-be-determined-based

upon:

(a) the-professional-staff-time-required-to-conduct-the-inspection
multiplied-by-the-rate-shown-in-Section-331.200,-and

(b) any-extraordinary-contractual-support-expenses-incurred-by-the
Department-in-conjunction-with-the-inspection-such-as-rental-of
specialized-equipment-acquisition-of-additional-professional
expertise-not-available-within-the-Department-and-laboratory
fees-charged-to-the-Department.

(Source: Repealed at 16 Ill. Reg. 11479, effective
July 7, 1992.)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

Section 31. TABLE C License Fees - Jan. 1, 1990 - Dec. 31, 1990 (Repealed)

Category-of-materials-licenses-and-type-of-fee-(1)-----Fee(2)

A Special Nuclear Material:

or Licenses-for-possession-and-use-of--special
nuclear-----material---in---sealed---sources
contained-in--devices--used--in--industrial
measuring-system

Application-New-License..... 0

Renewal..... 707

Amendment..... 560

or All-----other-----special-----nuclear-----material
licenses-----{4}

Application-New-License..... 2304

Renewal..... 2304

Amendment..... 200

B Source material:

or Licenses---for---refining---uranium---mill
concentrates-to-uranium-hexafluoride

Application..... 259

Renewal..... Full-Cost

Amendment..... Full-Cost

or All-----other-----special-----nuclear-----material
licenses-----{4}

Application-New-License..... 2304

Renewal..... 2304

Amendment..... 200

B Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stationsor Licenses---for---possession-and-use-of-source
material---in---ore---buying---stations

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

which the source is not removed from its shield (self-shielded units):

Application-New license: 17802
Renewal: 17079
Amendment: 200

P- licenses for possession and use of less than 10,000 curies of byproduct material and/or NARM in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes:

Application-New license: 47002
Renewal: 37526
Amendment: 397

G- licenses for possession and use of 10,000 curies or more of byproduct material and/or NARM in sealed sources for irradiation of materials in which the source is exposed for irradiation purposes:

Application-New license: 97746
Renewal: 67905
Amendment: 397

H- licenses issued pursuant to 32-III-Adm-Code-330 to distribute items containing byproduct material and/or NARM that require device review to persons exempt from the licensing requirements of 32-III-Adm-Code-330 except specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of 32-III-Adm-Code-330(4)

Application-New license: 27312
Renewal: 17506
Amendment: 200

I- licenses issued pursuant to 32-III-Adm-Code-330 to distribute items containing byproduct material and/or NARM quantities of byproduct material and/or NARM that do not require device evaluation to persons exempt from the licensing requirements of 32-III-Adm-Code-330 except for specific licenses authorizing redistribution of items that have been authorized for distribution to persons exempt from the licensing requirements of 32-III-Adm-Code-330(4)

Application-New license: 17327
Renewal: 17202

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENT(S)

Amendment: 103

d- licenses issued pursuant to 32-III-Adm-Code-330 to distribute items containing byproduct material and/or NARM that require sealed source and/or device review to persons generally licensed under 32-III-Adm-Code-330 except specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under 32-III-Adm-Code-330(4)

Application-New license: 37629
Renewal: 27592
Amendment: 397

K- license issued pursuant to 32-III-Adm-Code-330 to distribute items containing byproduct material and/or NARM quantities of byproduct material and/or NARM that do not require sealed source and/or device review to persons generally licensed under 32-III-Adm-Code-330 except for specific licenses authorizing redistribution of items that have been authorized for distribution to persons generally licensed under 32-III-Adm-Code-330(4)

Application-New license: 17742
Renewal: 17610
Amendment: 103

L- licenses of broad scope for possession and use of byproduct material and/or NARM issued pursuant to 32-III-Adm-Code-330 for research and development that do not authorize commercial distribution:

Application-New license: 37940
Renewal: 27903
Amendment: 200

M- other licenses for possession and use of byproduct material and/or NARM issued pursuant to 32-III-Adm-Code-330 for research and development that do not authorize commercial distribution:

Application-New license: 27740
Renewal: 27249
Amendment: 200

N- licenses that authorize services for other licensee except for leak testing and waste disposal pickup services:

Application-New license: 27405

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A: Licenses issued pursuant to 32-III-Adm. Code 330 for human use of byproduct material and/or NARM, source material or special nuclear material in sealed sources contained in tetraetherapy devices:

Application New license	\$ 37950
Renewal	37473
Amendment	397

B: Licenses of broad scope issued to medical institutions or two or more physicians pursuant to 32-III-Adm. Code 330 authorizing research and development including human use of byproduct material and/or NARM except licenses for byproduct material and/or NARM, source material or special nuclear material in sealed sources contained in tetraetherapy devices:

Application New license	\$ 67324
Renewal	57287
Amendment	200

C: Other licenses issued pursuant to 32-III-Adm. Code 330 for human use of byproduct material and/or NARM, source material and/or special nuclear material except licenses for byproduct material and/or NARM, source material or special nuclear material in sealed sources contained in tetraetherapy devices:

Application New license	\$ 27061
Renewal	27061
Amendment	200

8- Civil defense:

licenses for possession and use of byproduct material and/or NARM, source material or special nuclear material for civil defense activities:

Application New license	\$ 17079
Renewal	953
Amendment	103

12- General licenses as specified in 32-III-Adm. Code 330-220-(b) and (c):

Application New license	\$ 432
Renewal	432
Amendment	43

13- Reciprocal recognition of licenses as specified in 32-III-Adm. Code 330-900(b)(1) and 330-900(b)(1):

Application new license fee of	200-of
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applicable categories:

14- Additional permanent sites where radioactive material is stored or used under same license:

20% of applicable fee excluding amendment fee	not to exceed an additional 100%
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AGENCY NOTES

(i) Types of fees--Separate charges--as shown in the schedule will be assessed for applications for new licenses, issuance of new licenses, amendments, renewals to terminate a license and renewals to existing licenses. The following guidelines apply to these charges:

(a) Application fees--Applications for materials licenses must be accompanied by the prescribed application fee. For licenses covering only one category, the prescribed fee shall be the fee for the appropriate category identified in Appendix A. For licenses covering more than one fee category, the fee shall be 100% of the fee listed for the highest fee category for which a license is sought, plus 30% of the fee listed for each other category for which a license is sought. The application fees listed in Appendix A are based on a 5-year license term. In those situations where a license is issued for less than 5 years, a prorated portion of the application fee will be refunded by the Department to the licensee.

(b) License fee--For new licenses issued in fee categories 20, 2B, 4A, 4B, 4C and 5B, the recipient shall pay the license fee for each category as determined by the Department in accordance with Section 33-120(b) and (c) except that a license covering more than one fee category of source material in fee categories 20 and 2B must pay a license fee for the highest fee category assigned to the licensee.

(c) Renewal fees--Applications for renewal of materials licenses must be accompanied by the prescribed renewal fee, except that applications for renewals of licenses covering more than one fee category must be accompanied by the prescribed renewal fee for the highest fee category for which a license renewal is sought and 30% of the renewal fee for each of the other fee categories for which license renewal is sought. Applications for renewal of licenses in fee categories 20, 2B, 4A, 4B, 4C and 5B must be accompanied by an application fee of \$259 for each fee category and the additional renewal fee for each category shall be due upon notification by the Department in accordance with the procedures specified in Section 33-120(d). The renewal fees listed in Appendix A are based on a 5-year renewal term in

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- those situations where a license is renewed for less than 5 years a prorated portion of the renewal fee will be refunded by the Department to the licensee.
- (4) Amendment fees--Applications for amendments must be accompanied by the prescribed amendment fee for each category unless the amendment is applicable to two or more fee categories in which case the amendment fee for the highest fee category would apply except that applications for amendment of licenses in fee categories 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 must be accompanied by an application fee of \$259 with the balance due upon notification by the Department in accordance with Section 331-120(c). An application for amendment to a materials license that would place the licensee in a higher fee category or add a new fee category must be accompanied by the prescribed application fee for the new category except for an application for amendment to increase the scope of a licensed program in fee categories 20 and 21 in which case the licensee shall pay the application fee of \$259 and the license fee for the higher fee category shall be due upon completion of the licensing review. An application for amendment to a license that would reduce the scope of a licensee's program to a lower fee category must be accompanied by the prescribed amendment fee for the lower fee category except in fee categories 20 and 21 in which case the licensee shall pay an application fee of \$259 and the license fee for the lower fee category shall be due upon completion of the licensing review. Applications to terminate licenses authorizing small materials programs when no dismantling or decontamination procedure is required shall not be subject to fees.
- (2) Fees will not be charged for orders issued by the Department nor for amendments resulting from such Department orders.
- (3) Full costs of inspection for amendment to terminate license (not to be charged for more than one full inspection per year). The fees assessed will be determined based upon:
- (a) the professional staff time required to conduct the inspection multiplied by the rate shown in Section 331-200; and
- (b) any appropriate contractual support service costs.
- (4) If the license is to include authorization to distribute devices, products or sealed sources in addition to the fee stated above, the licensee fee submitted shall also include the applicable fee described below:
- (a) Safety evaluation of devices or products containing byproduct material and/or NARM source material or special nuclear material for commercial distribution
- Application each device: \$ 3738
Amendment each device: \$ 17002
- (b) Safety evaluation of devices or products containing byproduct material and/or NARM source material or special nuclear material manufactured in accordance with the unique specifications of and for use by a single applicant:

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- Application each device: \$ 17658
Amendment each device: \$ 500
- (c) Safety evaluation of sealed sources containing byproduct material and/or NARM source material or special nuclear material for commercial distribution
- Application each source: \$ 726
Amendment each source: \$ 208
- (d) Safety evaluation of sealed sources containing byproduct material and/or NARM source material or special nuclear material manufactured in accordance with the unique specification of and for use by a single applicant:
- Application each source: \$ 362
Amendment each source: \$ 103
- (5) Full costs of inspection (not to be charged for more than one full inspection per year). The fees assessed will be determined based upon:
- (a) the professional staff time required to conduct the inspection multiplied by the rate shown in Section 331-200; and
- (b) any extraordinary contractual support expenses incurred by the Department in conjunction with the inspection such as rental of specialized equipment, acquisition of additional professional expertise not available within the Department, and laboratory fees charged to the Department.

(Source: Repealed at 16 Ill. Reg. 11479, effective July 7, 1992)

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Section 331.APPENDIX B Fee Schedule For Radioactive Material Licenses

MATERIAL USE CATEGORIES

FEE PAYABLE:

Jan.1-Dec.31, 1991 Jan.1-Dec.31, 1992 Jan.1, 1993 and after

101

Radioactive Material (as defined in 32 Ill. Adm. Code 310.20)

A. Type A Broad Scope Manufacturing and Distribution - licenses (as specified in 32 Ill. Adm. Code 330.270) for possession and use of radioactive material and for processing or manufacturing radioactive material or items containing radioactive material for commercial distribution, including, but not limited to, manufacturing of a chemical mixture, compound, solution or alloy which is listed in 32 Ill. Adm. Code 330.30:

License Fee: \$13,562 \$16,274 \$19,529

B. Other Manufacturing and Distribution - licenses for possession and use of radioactive material and for processing or manufacturing radioactive material or items containing radioactive material for commercial dis-

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tribution including, but not limited to, manufacturing of a chemical mixture compound, solution or alloy which is listed in 32 Ill. Adm. Code 330.30:

License Fee: \$ 7,290 \$ 8,748 \$10,498

C. Distribution - licenses authorizing distribution of radioactive material or items containing radioactive material, not involving processing or manufacturing of radioactive material:

License Fee: \$ 2,488 \$ 2,986 \$ 3,583

D. Category I Irradiator - licenses for possession and use of radioactive material as sealed sources in a Category I irradiator:

License Fee: \$ 1,295 \$ 1,554 \$ 1,865

E. Category II, III or IV Irradiator - licenses for possession and use of less than 10,000 curies of radioactive material as sealed sources in a Cat-

NOTICE OF ADOPTED AMENDMENT(S)

Category II, Category III or Category IV irradiator:

License Fee: \$ 4,231

\$ 5,077

\$ 6,093

F. Category II,
III or IV

Irradiator -
licenses for poss-
ession and use of
10,000 curies or
more of radio-
active material
as sealed sources
in a Category II,
Category III, or
Category IV
irradiator:

License Fee: \$ 8,286

\$ 9,943

\$11,932

G. Type A Broad Scope Research and Development - licenses (as specified in 32 Ill. Adm. Code 330.270) for possession and use of radioactive material for research and development that do not authorize commercial distribution;

License Fee: \$ 3,484

\$ 4,181

\$ 5,017

H. Other Research and Development - licenses for possession and use of radioactive material for research and development that do not authorize commercial distribution.

\$ 1,200 \$ 1,440

\$ 1,440

K. Other - all specific radio-active material licenses not specified elsewhere in this fee schedule, including, but not limited to, licenses for poss-

NOTICE OF ADOPTED AMENDMENT(S)

tribution:

License Fee: \$ 2,699 \$ 3,239 \$ 3,886

\$ 3,239

\$ 3,886

I. Service - licenses that authorize services for other licensees, including, but not limited to, leak testing and instrument calibration, but not including waste disposal transportation or radioactive waste broker services;

License Fee: \$ 3,629

\$ 4,355

\$ 5,226

J. Gas Chromatographs and X-Ray Fluorescence Analyzers - licenses for possession and use of radioactive material in sealed sources or detector cells for use in gas chromatographs and x-ray fluorescence analyzers:

License Fee: \$ 1,000

\$ 1,200

\$ 1,440

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License Fee: \$ 8,336 \$10,003 \$12,004

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Human use of radioactive material

A. Type A Broad Scope
Medical and Tele-
therapy - licenses
(as specified in 32
Ill. Adm. Code 330.270)
authorizing human use
of radioactive material,
including research and
development, including
use of radioactive mat-
erial in sealed sources
contained in teletherapy
devices for human use of
radioactive material and
for the irradiation of
other items:

License Fee: \$ 6,344 \$ 7,613 \$ 9,135

B. Teletherapy -
licenses for poss-
ession and use of
radioactive material
as sealed sources
contained in tele-
therapy devices for
medical use of
radioactive mat-
erial and for the
irradiation of
other items:

License Fee: \$ 4,168 \$ 5,002 \$ 6,002

C. Medical Use -
licenses for human
use of radioactive
material, except
licenses for radio-
active material in
sealed sources con-
tained in teletherapy
devices and Type A

ession and use of
radioactive mat-
erial in sealed
sources for use
in fixed and
portable gauges:

License Fee: \$ 2,477 \$ 2,972 \$ 3,567

102

Wireline Service Operations
(as defined in 32 Ill.
Adm. Code 351)

A. Wireline Service Oper-
ations - licenses speci-
fically authorizing use
of radioactive material
for wireline services,
well surveys, and
tracer studies other
than field flooding
tracer studies:

License Fee: \$ 3,298 \$ 3,958 \$ 4,749

B. Field Flood Studies -
licenses specifically
authorizing use of
radioactive material
for wireline services,
well surveys, tracer
studies, or field
flood tracer
studies:

License Fee: \$ 6,596 \$ 7,915 \$ 9,498

103

Industrial Radiography (as defined
in 32 Ill. Adm. Code 350)

Industrial Radiography at Permanent and
Temporary Jobsites - licenses specifically
authorizing use of radioactive material for
industrial radiography at permanent or
temporary jobsites:

Source Material (as defined in 32 Ill. Adm. Code 310.20) and Byproduct Material (as defined in 32 Ill. Adm. Code 332.20)

A. Possession and Use of Source and Byproduct Material - licenses for possession and use of source material in recovery operations such as milling, in-situ leaching, heap-leaching, ore buying stations, ion exchange facilities and in processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations as well as licenses authorizing the possession and maintenance of a facility in a standby mode:

License Fee: \$ 3,433	\$ 4,120	\$ 4,944	License/Amendment Fee: \$25,000 Deposit + Full Cost	\$ 25,000 Deposit + Full Cost	\$ 360
Specific license of broad scope:					
D. Diagnostic Medical Use - licenses restricted to only the diagnostic human use of radioactive material listed in 32 Ill. Adm. Code 330.7 Appendix E-Groups-17-18 and-19-20-sealed sources-for-diagnosis, 335 SUBPART D: Uptake, Dilution and Excretion: SUBPART E: Imaging and Localization: SUBPART G: Sealed Sources for Diagnosis; and in vitro kits, except as specified in 32 Ill. Adm. Code. 330.220(f):	\$ 2,972	\$ 3,567			
E. Limited Medical Use - licenses restricted to only the human use of radioactive material specified in 32 Ill. Adm. Code 330-220(h) 335 SUBPART D:	\$ 746	\$ 895			
License Fee: \$ 622	\$ 746	\$ 895	License/Amendment Fee: \$25,000 Deposit + Full Cost	\$ 25,000 Deposit + Full Cost	\$ 360
General licenses					
General licenses (as specified in 32 Ill. Adm. Code 330.220(i))	\$ 622	\$ 746			
License Fee: \$ 518	\$ 622	\$ 746			

Source Material (as defined in 32 Ill. Adm. Code 310.20) and Byproduct Material (as defined in 32 Ill. Adm. Code 332.20)

A. Possession and Use of Source and Byproduct Material - licenses for possession and use of source material in recovery operations such as milling, in-situ leaching, heap-leaching, ore buying stations, ion exchange facilities and in processing of ores containing source material for extraction of metals other than uranium or thorium, including licenses authorizing the possession of byproduct waste material (tailings) from source material recovery operations as well as licenses authorizing the possession and maintenance of a facility in a standby mode:

License Fee: \$ 3,433	\$ 4,120	\$ 4,944	License/Amendment Fee: \$25,000 Deposit + Full Cost	\$ 25,000 Deposit + Full Cost	\$ 360
Specific license of broad scope:					
D. Diagnostic Medical Use - licenses restricted to only the diagnostic human use of radioactive material listed in 32 Ill. Adm. Code 330.7 Appendix E-Groups-17-18 and-19-20-sealed sources-for-diagnosis, 335 SUBPART D: Uptake, Dilution and Excretion: SUBPART E: Imaging and Localization: SUBPART G: Sealed Sources for Diagnosis; and in vitro kits, except as specified in 32 Ill. Adm. Code. 330.220(f):	\$ 2,972	\$ 3,567			
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License Fee: \$ 622	\$ 746	\$ 895	License/Amendment Fee: \$25,000 Deposit + Full Cost	\$ 25,000 Deposit + Full Cost	\$ 360
General licenses					
General licenses (as specified in 32 Ill. Adm. Code 330.220(i))	\$ 622	\$ 746			
License Fee: \$ 518	\$ 622	\$ 746			

erial which require a specific radio-active materials license. This does not include licenses authorizing manufacture and distribution of source material. This does not include specific licenses authorizing source material used for shielding or source material authorized for use in manufacturing operations as described in Material Use Categories 101A and B:

License/Amendment Fee:	\$25,000	
Deposit + Full Cost	\$25,000	
Minor Amendment Fee:	\$ 250	\$ 360

107

Radioactive Material Waste Disposal

A. Low-Level Radio-active Waste Disposal Facilities - licenses issued pursuant to 32 Ill. Adm. Code 601 specifically authorizing the disposal of low-level radioactive waste away from the point of generation:

License/Amendment Fee:	\$25,000	
Deposit + Full Cost	\$25,000	
Minor Amendment Fee:	\$ 250	\$ 360

B. Radioactive Waste Treatment Facilities - licenses specifically authorizing the receipt of radioactive waste material from other persons for treatment and transfer to a person authorized to receive or dispose of the material:

License Fee:	\$15,925	\$19,110	\$22,932
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C. Radioactive Waste Broker - licenses specifically authorizing the receipt of prepackaged radioactive waste material from other persons. The licensee will dispose of the material by transfer to a person authorized to receive or dispose of the material:

License Fee:	\$ 6,917	\$ 8,300	\$ 9,960
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D. Other Radioactive Waste - licenses for other waste disposal methodologies (e.g., 32 Ill. Adm. Code 340.3020 authorizations):

License/Amendment Fee:	\$25,000	
Deposit + Full Cost	\$25,000	
Minor Amendment Fee:	\$ 250	\$ 360

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DEPARTMENT OF NUCLEAR SAFETY

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Nuclear Laundries - licenses for commercial collection and laundry laundering of items contaminated with radioactive material:

License Fee: \$ 5,683 \$ 6,820 \$ 8,183

109

Decontamination Facilities - licenses that authorize receipt of items contaminated with radioactive material for the purpose of decontaminating such items:

License Fee: \$ 6,820 \$ 8,183 \$ 9,820
AGENCY NOTE: The Department anticipates that at some point after January 1, 1993, it will be necessary to increase fees and revise the fee schedule accordingly. However, until such revision is promulgated by rulemaking, the fees in effect on January 1, 1993, will remain in effect.

(Source: Amended at 16 Ill. Reg. 11479, effective July 7, 1992)

Section 331.APPENDIX C Fee Schedule For Sealed Source And Device Evaluations (Repealed)

REVIEW-CATEGORIES

EVALUATION-FEE-PAYABLE:

Jan-1-Dec-31 1991 Jan-1-Dec-31 1992 Jan-1-1993 and-after

200

Device-Evaluation---safety-evaluation of-devices-or-products-containing radioactive-material-for-commercial distribution-or-evaluation-of-devices or-products-containing-radioactive material-manufactured-in-accordance with-the-unique-specifications-of-and-for-use-by-one-person-licensed by-the-Department:

Evaluation-Fee: \$-4,000 \$-4,000 \$-5,760
Amendment-Fee: \$-2,000 \$-2,400 \$-2,000

201

Sealed-Source-Evaluation---safety evaluation-of-sealed-sources-containing radioactive-material-for-commercial distribution-or-safety-evaluation-of sealed-sources-containing-radioactive material-manufactured-in-accordance-with the-unique-specifications-of-and-for-use by-one-person-licensed-by-the-Department:

Evaluation-Fee: \$-3,000 \$-3,200 \$-3,740
Amendment-Fee: \$--500 \$--600 \$--720

(Source: Repealed at 16 Ill. Reg. 11479, effective July 7, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS;
INSPECTIONS
- 2) Code Citation: 32 Ill. Adm. Code 400
- 3) Section Number:
400.120 Adopted Action:
400.140 Amendment
400.150 Amendment
400.160 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 16 and 29 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111½, pars. 210-16, 210-29), Section 5 of the Personnel Radiation Monitoring Act (Ill. Rev. Stat. 1991, ch. 111½, par. 230.15).
- 5) Effective Date of Adopted Amendment: July 7, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these adopted amendments contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: July 7, 1992
- 9) Notice of Proposal Published in the Illinois Register:
February 21, 1992 (16 Ill. Reg. 2739)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments?
No
- 11) Differences between proposal and final version:
 - a) In number one of the notice page, the word "INSPECTIONS" has been indented so that it is directly under the word "NOTICE".
 - b) The statutory citations have been changed from "1990 Supp." to "1991".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between the Department and the Committee were necessary to resolve Committee questions concerning this rulemaking. A copy of the Agreement letter is attached.
- 13) Will these adopted amendments replace an emergency rule currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendments: This Amendment will change the cross references to other rules of the Department. It is the Department's intent to refer to all Department rules related to radiation protection, low-level radioactive waste and transportation.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 785-9900 (TDD)

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 32: ENERGY

CHAPTER I: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 400

NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS

Section	
400.10	Purpose and Scope
400.110	Posting of Notices to Workers
400.120	Instructions to Workers
400.130	Notifications and Reports to Individuals
400.140	Presence of Representatives of Licensees or Registrants and Workers During Inspection
400.150	Consultation with Workers During Inspections
400.160	Requests by Workers for Inspections
400.170	Inspections Not Warranted; Informal Review

AUTHORITY: Implementing and authorized by Sections 16 and 29 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 210-16, 210-29), and Section 5 of the Personnel Radiation Monitoring Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 230.15).

SOURCE: Adopted at 10 Ill. Reg. 17496, effective September 25, 1986; amended at 11 Ill. Reg. 15629, effective September 11, 1987; amended at 13 Ill. Reg. 13581, effective August 11, 1989; amended at 16 Ill. Reg. 11531, effective July 7, 1992.

Section 400.120 Instructions to Workers

- a) All individuals working in, or the performance of whose duties requires access to any portion of a restricted area:
- 1) shall be kept informed of the storage, transfer, or use of sources of radiation in such portions of the restricted area;
 - 2) shall be instructed in the health protection problems associated with exposure to radiation or radioactive material, in the risks of radiation exposure to the embryo and fetus, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed;
 - 3) shall be instructed in, and instructed to observe to the extent within the worker's control, the conditions of the license, the provisions of this Part and 32 Ill. Adm. Code 3107-3207-3307-3317 3407--3417-3507-3517-401-and-601; Chapter II, Subchapters b and d for the protection of personnel from exposures to radiation or radioactive material occurring in such areas;
 - 4) shall be instructed to report promptly to the licensee or registrant any condition which may constitute, lead to, or cause a violation of the Act, the conditions of the license, the provisions of this Part or 32 Ill. Adm. Code 3107-3207-3307--3317

3407-3417-3507-3517-3607-3707-3807-3907-4017-410-and-601; Chapter II, Subchapters b and d or unnecessary exposure to radiation or radioactive material;

- 5) shall be instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive material; and
 - 6) shall be advised as to the radiation exposure reports which workers shall be furnished pursuant to Section 400.130.
- b) These instructions shall be of sufficient detail to avoid radiological health protection problems and shall be given directly to each worker either in writing or in an orientation course, with the workers signing a statement that they have received the above information and understand it.

(Source: Amended at 16 Ill. Reg. 11531, effective July 7, 1992)

Section 400.140 Presence of Representatives of Licensees or Registrants and Workers During Inspection

- a) Pursuant to Section 400.160 and 32 Ill. Adm. Code 310.50, each licensee or registrant shall afford the Department at all reasonable times the opportunity to inspect such materials, machines, activities, facilities, premises, and records as the Department determines are necessary to establish compliance with the requirements of the license and the provisions of 32 Ill. Adm. Code 3107-3207-3307-3407-3417 3507-3517-3607-3807-3907-4007-4017-4107--end-601; Chapter II, Subchapters b and d. Reasonable times shall be any time the facility is operational. The inspection may be announced or unannounced. Materials licensees shall be inspected at least as frequently as they would have been inspected by the U.S. Nuclear Regulatory Commission (U.S. NRC) if the licensees were regulated by the U.S. NRC, but no more frequently than once in a calendar quarter. Radiation machines shall be inspected in accordance with the provisions of Sections 8.11 and 8.13 of the Act. Inspection of licensees and radiation machines may be conducted more frequently than once per calendar quarter if, in the past three years, there has been a condition at the facility which required emergency response; or if the Department has received a complaint, the investigation of which will result in a more frequent inspection; or if the Department has documented a violation of the Act or the above referenced rules of the Department at the facility and additional inspections are necessary to establish that the violation has been abated.
- b) During an inspection, Departmental and qualified nondepartment inspectors may consult privately with workers as specified in Section 400.150. The licensee or registrant may accompany Departmental and qualified nondepartment inspectors during other phases of an inspection.
- c) If, at the time of inspection, an individual has been authorized by

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the workers to represent them during inspections, the licensee or registrant shall notify the Departmental or qualified nondepartmental inspectors of such authorization and shall give the workers' representative an opportunity to accompany the inspectors during the inspection of physical working conditions.

d) Each workers' representative shall be routinely engaged in work under control of the licensee or registrant and shall have received instructions as specified in Section 400.120.

e) Different representatives of licensees or registrants and workers may accompany the Departmental or qualified nondepartmental inspectors during different phases of an inspection if there is no resulting interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.

f) With the approval of the licensee or registrant and the workers' representative, an individual who is not routinely engaged in work under control of the licensee or registrant, for example, a consultant to the licensee or registrant or to the workers' representative, shall be afforded the opportunity to accompany Departmental and qualified nondepartmental inspectors during the inspection of physical working conditions.

g) Notwithstanding the other provisions of this Section, Departmental inspectors and qualified nondepartmental inspectors are authorized to refuse to permit accompaniment by any individual who deliberately interferes with a fair and orderly inspection. With regard to areas containing information classified by an agency of the U.S. Government in the interest of national security, an individual who accompanies an inspector may have access to such information only if authorized to do so. With regard to any area containing proprietary information, i.e., trade secrets and commercial or financial information where such information is privileged or confidential or where disclosure of such information may cause competitive harm, the workers' representative for that area shall be an individual previously authorized by the licensee or registrant to enter that area.

(Source: Amended at 16 Ill. Reg. 11531, effective July 7, 1992)

Section 400.150 Consultation with Workers During Inspections

a) Departmental and qualified nondepartmental inspectors may consult privately with workers concerning matters of occupational radiation protection and other matters related to the activities of the licensee or registrant which bear upon compliance with the conditions of the license or the provisions of this Part or 32 Ill. Adm. Code 3107--3207, 3307--3317--3407--3417--3507--3517--3607--3707--3807--3907--4017--410--601: Chapter II, Subchapters b and d.

b) During the course of an inspection, or at any other time, any worker may bring privately to the attention of the Department, its inspectors or qualified nondepartmental inspectors, either orally or in writing,

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any past or present condition which the worker has reason to believe may have contributed to or caused any violation of the Act, the provisions of this Part or 32 Ill. Adm. Code 3107--3207--3307--3317--3407 3417--3507--3517--3607--3707--3807--3907--4017--410--601: Chapter II, Subchapters b and d or license condition, or any unnecessary exposure of an individual to sources of radiation under the licensee's or registrant's control. Any such notice in writing shall comply with the requirements of Section 400.160(a). If a worker seeks an opportunity to speak to an inspector during an inspection, the licensee or registrant shall permit the worker such opportunity.

*AGENCY NOTE: The provisions of subsection (b) shall not be interpreted as authorization to disregard instructions pursuant to Section 400.120.

(Source: Amended at 16 Ill. Reg. 11531, effective July 7, 1992)

Section 400.160 Requests by Workers for Inspections

a) Any worker or representative of workers believing that a violation of the Act, the provisions of this Part or 32 Ill. Adm. Code 3107--3207 3307--3317--3407--3417--3507--3517--3607--3707--3807--3907--4017--410--601: Chapter II, Subchapters b and d, or license conditions exists or has occurred, or that an unnecessary exposure to radiation or radioactive material has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged may request an inspection by giving notice of the alleged violation to the Department. Any such notice shall be in writing, shall set forth the circumstances describing the perceived violation or condition, and shall be signed by the worker or representative of the workers. A copy shall be provided to the licensee or registrant by the Department no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the Department, except for good cause shown, such as when necessary in the course of enforcement actions.

b) If conditions stated on the face of the complaint indicate there is or has been a violation or the possibility of a violation, the Department shall conduct an inspection as soon as practicable to determine if such alleged violation exists or has occurred. Inspections made pursuant to this Section need not be limited to matters referred to in the complaint.

c) No licensee or registrant shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceedings under this Part or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others of any option afforded by this Part. Furthermore,

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each licensee and registrant shall instruct his contractors and subcontractors not to discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceedings under this Part or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others any option afforded by this Part. Any worker who believes that he has been so discharged or discriminated against may file a complaint with the Department alleging a violation of this subsection.

(Source: Amended at 16 Ill. Reg. 11531, effective July 7, 1992)

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- 1) Heading of the Part: STANDARDS FOR PROTECTION AGAINST RADIATION
- 2) Code Citation: 32 Ill. Adm. Code 340
- 3) Section Number: 340.4010 Adopted Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 16 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111½, par. 210-16).
- 5) Effective Date of Adopted Amendment: July 7, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these adopted amendments contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: July 7, 1992
- 9) Notice of Proposal Published in the Illinois Register: February 21, 1992 (16 Ill. Reg. 2746)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: The statutory cites have been changed from "1990 Supp." to "1991".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between the Department and the Committee were necessary to resolve Committee questions concerning this rulemaking. A copy of the Agreement letter is attached.
- 13) Will these adopted amendments replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendments: This Amendment will change the cross references to other rules of the Department. It is the Department's intent to refer to all Department rules related to radiation protection, low-level radioactive waste and transportation. In addition, the Department added lead in phrases to conform to the Secretary of State's format requirements for rules.

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NOTICE OF ADOPTED AMENDMENT

- 16) Information and questions regarding these adopted amendments shall be directed to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 785-9900 (TDD)

The full text of the Adopted Amendments begins on the next page:

Section	
340.1000	Purpose and Scope
340.1010	Radiation Dose Standards for Individuals in Restricted Areas
340.1020	Determination of Accumulated Dose
340.1030	Exposure to Concentrations of Radioactive Material in Air in Restricted Areas
340.1040	Exposure of Minors
340.1050	Permissible Levels of Radiation for External Sources in Unrestricted Areas
340.1060	Concentration of Radioactivity in Effluents to Unrestricted Areas
340.1070	Orders Requiring Furnishing of Bioassay Service

SUBPART B: PRECAUTIONARY PROCEDURES

Section	
340.2010	Surveys
340.2020	Personnel Monitoring
340.2030	Caution Signs, Labels, and Signals
340.2040	Exceptions from Posting and Labeling Requirements
340.2050	Instruction of Personnel
340.2060	Storage and Control of Sources of Radiation
340.2070	Procedures for Picking Up, Receiving, and Opening Packages

SUBPART C: WASTE DISPOSAL

Section	
340.3010	General Requirements
340.3020	Method of Obtaining Approval of Proposed Disposal Procedures
340.3030	Disposal by Release Into Sanitary Sewage Systems
340.3040	Land Disposal
340.3050	Disposal by Incineration
340.3060	Disposal of Specific Wastes
340.3070	Classification of Radioactive Waste for Land Disposal
340.3080	Radioactive Waste Characteristics
340.3090	Labeling
340.3110	Transfer for Disposal and Manifests

SUBPART D: RECORDS, MONITORING AND DISPOSAL

Section

NOTICE OF ADOPTED AMENDMENT(S)

- 340.4010 Records of Surveys, Radiation Monitoring, and Disposal
 340.4020 Reports of Theft or Loss of Sources of Radiation
 340.4030 Notification of Incidents
 340.4040 Reports to Former Employees and Others of Exposure to Radiation (Repealed)
 340.4050 Reports of Overexposures and Excessive Levels and Concentrations
 340.4060 Notice to Employees and Others of Exposure to Radiation (Repealed)
 340.4070 Vacating Premises
 340.4080 Notifications and Reports to Individuals
 340.4090 Removal of Radioactive Contamination
 APPENDIX A Concentrations in Air and Water Above Natural Background
 APPENDIX B Quantities for use with 340.2030 and 340.3030 Material and Microcuries
 APPENDIX C Decontamination Guides
 ILLUSTRATION A Radiation Symbol

AUTHORITY: Implementing and authorized by Section 16 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 210-16).

SOURCE: Filed April 24, 1970 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; amended at 5 Ill. Reg. 9586, effective September 10, 1981; codified at 7 Ill. Reg. 16027; Recodified at 10 Ill. Reg. 11273; amended at 10 Ill. Reg. 17538, effective September 25, 1986; amended at 16 Ill. Reg. 11538, effective July 7, 1992.

SUBPART D: RECORDS, MONITORING AND DISPOSAL

Section 340.4010 Records of Surveys, Radiation Monitoring, and Disposal

- a) Each licensee or registrant shall maintain personnel monitoring records as described below:
- 1) Each licensee or registrant shall maintain records showing the radiation exposures of all individuals for whom personnel monitoring is required under Section 340.2020 of this Part, and shall report to the Department at intervals prescribed by the Department, each quarterly radiation dose which exceeds 25% of the limits specified in Section 340.1010(a) for each monitored person, except for persons under 18 years of age, in which case all monthly doses shall be reported on a monthly basis. Such records shall be kept on Form RMA-1/RMA-2 in accordance with the instructions contained on the form, or on clear and legible records containing all the information required by Form RMA-1/RMA-2. The doses entered on the form or records shall be for periods of time not exceeding one calendar quarter and one month respectively. Reports submitted to the Department shall be on Form RMA-1/RMA-2 or a facsimile approved by the Department.
 - 2) No licensee or registrant shall subtract radiation exposures from official personnel monitoring records without the prior approval

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- of the Department.
- b) Each licensee or registrant shall maintain records in the same units used in this Part, showing the results of surveys required by Section 340.2010, monitoring required by Sections 340.2070(b) and (c), and disposals made under Sections 340.3020, 340.3030, 340.3040 and 32 Ill. Adm. Code 601.
 - c) Each licensee or registrant shall maintain records as described below:
 - 1) Records of individual exposure to radiation and to radioactive material which must be maintained pursuant to the provisions of Section 340.4010(a) and records of bioassays, including results of whole body counting examinations, made pursuant to Section 340.1070 shall be preserved until the Department authorizes their disposition.
 - 2) Records of the results of surveys and monitoring which must be maintained pursuant to Section 340.4010(b) shall be preserved for 2 years after completion of the survey except that the following records shall be maintained until the Department authorizes their disposition:
 - A) records of the results of surveys to determine compliance with Section 340.1030(a);
 - B) in the absence of personnel monitoring data, records of the results of surveys to determine external radiation dose; and
 - C) records of the results of surveys used to evaluate the release of radioactive effluents to the environment.
 - 3) Records of disposal of licensed material made pursuant to Sections 340.3020, 340.3030, 340.3040, 340.3050, 340.3060 and 32 Ill. Adm. Code 601 are to be maintained until the Department authorizes their disposition.
 - 4) Records which must be maintained pursuant to this Part may be the original or either a high quality copy or microform provided that such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a legible copy after storage for the period specified by 32 Ill. Adm. Code 3307-3307-3317-3417-3507-351-end-601: Chapter 11, Subchapters b and d.
 - 5) If there is a conflict between the Department's regulations in this Part, license condition, or other written Department approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this Part for such records shall apply unless the Department, pursuant to 32 Ill. Adm. Code 310.30(a), has granted a specific exemption from the record retention requirements specified in the regulations in this Part.
 - d) The discontinuance of, or curtailment of, activities does not relieve the licensee or registrant of responsibility for retaining all records required by Section 340.4010. A licensee or registrant may, however, request the Department to accept such records. The acceptance of the records by the Department relieves the licensee or registrant of subsequent responsibility only in respect to their preservation as

required in Section 340.4010.

(Source: Amended at 16 Ill. Reg. 11538, effective July 7, 1992)

1) Heading of the Part: STATUS SIGNALS FOR NUCLEAR POWER REACTORS

2) Code Citation: 32 Ill. Adm. Code 504

3) Section Numbers:

504.10
504.20
504.30
504.40
504.50
504.60
504.70

Adopted Action:

New Section
New Section
New Section
New Section
New Section
New Section

4) Statutory Authority: Implementing and authorized by Section 8(c) of the Illinois Nuclear Safety Preparedness Act (Ill. Rev. Stat. 1991, ch. 111½ par. 4308).

5) Effective Date of Adopted Rule: July 7, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Do these adopted rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: June 30, 1992

9) Notice of Proposal Published in Illinois Register:

March 20, 1992 (16 Ill. Reg. 4163)

10) Has JCAR issued a Statement of Objections to these Adopted Rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between the Department and the Committee were necessary to resolve Committee questions concerning this rulemaking. A copy of the Agreement letter is attached.

13) Will these adopted rules replace an emergency rule currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Adopted Rules: This rule will require owners of nuclear power stations in Illinois to provide the Department with computer status signals from points monitored via each station's computers. This rule will implement the requirements of Section 8(c) of the Illinois Nuclear Safety Preparedness Act.

16) Information and questions regarding these Adopted Rules shall be directed to:

Lyle Black
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 524-0770 (voice)
(217) 785-9900 (TDD)

The full text of the Adopted Rules begins on the next page:

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER C: NUCLEAR FACILITY SAFETY

PART 504
STATUS SIGNALS FOR NUCLEAR POWER REACTORS

Section	
504.10	Policy and Scope
504.20	Definitions
504.30	Protocol for Data Transmissions
504.40	Equipment
504.50	Updating Station Catalogues and System Status Signals Catalogue
504.60	Implementation of System Status Signals Catalogue
504.70	Availability

AUTHORITY: Implementing and authorized by Section 8(c) of the Illinois Nuclear Safety Preparedness Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 4308).

SOURCE: Adopted at 16 Ill. Reg. 11544, effective July 7, 1992.

Section 504.10 Policy and Scope

- The Department of Nuclear Safety (Department) has the responsibility under State law to acquire from each nuclear power reactor in the State all system status signals which initiate Emergency Action Level Declarations, actuate accident mitigation and provide mitigation verification, including indications of operating power levels.
- Signals shall be provided by each owner in a manner that assures availability to the Department during all modes of reactor operation (including defueled conditions) as well as throughout accidents and subsequent recovery operations.
- This Part provides the criteria and requirements under which each owner of a nuclear power reactor shall transmit to the Department a System Status Signals Catalogue for the reactor via a Reactor Data Link (RDL).
- This Part shall apply to all owners. For any nuclear power reactor for which no License to Operate has been issued by the United States Nuclear Regulatory Commission on the effective date of this Part, a System Status Signals Catalogue shall be transmitted by the owner to the Department prior to commencing initial fuel load.
- For any nuclear power reactor providing an RDL, the owner shall continue to transmit a System Status Signals Catalogue after the License to Operate is no longer maintained and until such time that all fuel is removed from the site or until the owner no longer possesses the capability to supply such data.

Section 504.20 Definitions

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As used in this Part, the following definitions will apply:

"Communication Link" means the telephone line or other connection between the Department supplied modem on the owner's premises to the Department's headquarters in Springfield, Illinois.

"Department" means the Illinois Department of Nuclear Safety.

"Owner" means the owner and operator of the nuclear power reactor.

"Point" means the system parameter being monitored.

"RDL" means the Reactor Data Link for a reactor. The RDL includes the entire system by which the owner provides and the Department receives a System Status Signals Catalogue at the Department's headquarters in Springfield, Illinois.

"RDL outage" means any breakdown in the RDL that prevents the normal continuous data transmission of the System Status Signals Catalogue to the Department's headquarters in Springfield, Illinois.

"Reactor" means a nuclear power reactor.

"Station Catalogue" means the complete and inclusive list of all computer monitored points available for transmission from a nuclear power station from which the System Status Signals Catalogue for each reactor is chosen.

"Station Computer" means the computer or computers which collect and transfer data to the Department's modems.

"System Status Signals Catalogue" means the points selected by the Department from the Station Catalogue to be transmitted over the Communications Link. A System Status Signals Catalogue is selected for each reactor.

Section 504.30 Protocol for Data Transmissions

Communications protocol, data representation and data transmission frequency for the System Status Signals Catalogue shall be established and/or changed by mutual consent of the Department and the owner subject to the condition that the owner shall provide signals to the Department in a manner and at a frequency that allows the Department to incorporate the signals into and augment the Department's remote effluent monitoring system.

Section 504.40 Equipment

- a) The Department shall provide a modem to the owner and shall establish a Communication Link. All Department owned equipment shall be

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maintained by the Department.

- b) Departmental personnel and agents shall have access to all Departmental equipment located at the nuclear station site, subject to any security requirements imposed by law, regulation, or normal security practices of the owner including Fitness-For-Duty requirements.

- c) The owner shall provide and maintain necessary hardware and software at its reactor site to communicate via the Department supplied modem.

Section 504.50 Updating Station Catalogues and System Status Signals Catalogue

- a) For each point included in the Station Catalogue, the Station Catalogue shall contain, as a minimum, the name of the point; a description of each parameter (point) measured, sensed or calculated; the units of measure for analog points; the state indication for digital points, e.g., open or closed, on or off; and the type of point, e.g., analog or digital.

- b) On the effective date of this Part, the Department will consider the current Station Catalogue for each nuclear power station to be the most recent Station Catalogue that was provided the Department pursuant to the prerulemaking arrangement between the owner and the Department.

- c) The owner shall provide the Department an updated Station Catalogue for each nuclear power station at 180 day intervals. In the event that the Station Catalogue remained unchanged, the owner shall notify the Department that no changes were made in lieu of providing an updated Station Catalogue. The end of each 180 day interval shall be consistent with the end of the prerulemaking 180 day interval already in effect for the owner under the prerulemaking arrangement between the owner and the Department. The Department may lengthen the Station Catalogue submission interval at any time.

- d) Within 14 calendar days after receipt of an updated Station Catalogue, the Department shall provide the owner with notice of any changes to the System Status Signals Catalogue(s).

- e) The Department shall select points for the System Status Signals Catalogue from the updated Station Catalogue using the following criteria:

- 1) those points by which the off-site radiological consequences can be determined;
- 2) those points by which challenges to, and failures of, the clad, the primary boundary, and the containment structures can be determined;
- 3) those points by which short and long-term decay heat removal capabilities can be determined; or
- 4) those points by which on and off-site station electrical power status can be determined.

Section 504.60 Implementation of System Status Signals Catalogue

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Except as provided in this Section, the owner shall coordinate the transmission of a new System Status Signals Catalogue no later than 14 calendar days after receiving the notice provided for in Section 504.50(d). If the owner determines that it cannot transmit the new System Status Signals Catalogue in the 14 calendar day period, the owner shall, prior to the expiration of the 14 calendar day goal, apply in writing to the Department for an extension of time to transmit the new System Status Signals Catalogue.

- a) A written request to extend the time for implementation shall include an estimate of the amount of time needed by the owner to begin transmitting the new System Status Signals Catalogue and the reasons why the additional time is needed for implementation.
- b) Timely submittal to the Department of a written request described in subsection (a) will result in an automatic 14 day extension of the time for implementation by the owner.

Section 504.70 Availability

- a) Each owner shall transmit a System Status Signals Catalogue for each reactor over a Communications Link continuously 24 hours a day during all modes of reactor operation (including defueled conditions) as well as throughout accident and subsequent recovery operations, except during planned station computer and RDL system outages or unplanned station computer and RDL system outages beyond the control of the owner. The owner shall establish measures to assure that unplanned RDL system outages are promptly identified and corrected and that the root cause of the RDL outage is determined and corrective action taken to preclude repetition where appropriate.
- b) In the event of an RDL outage, or station computer outage, the owner, when required by the Department, shall establish a point of technical contact with the Department to communicate reactor status information until the RDL is restored.
- c) In the event of a planned or unplanned station computer outage, data transmission to the Department shall be restored as soon as possible after the station computer's return to service.
- d) The Department's access to the System Status Signals Catalogue shall not be intentionally degraded by the owner's computer usage unless such usage is necessary to protect public health and safety as required under the Nuclear Regulatory Commission license, and the degradation of access cannot be avoided.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN
 - 2) Code Citation: 89 Ill. Adm. Code 112
 - 3) Section Numbers: Adopted Action:
112.110 Amendment
112.400 Amendment
 - 4) Statutory Authority:
89 Ill. Adm. Code 112.110
- Sections 4-1.6, 4-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1.6, 4-2 and 12-13)
- 89 Ill. Adm. Code 112.400
- Sections 9-6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 9-6 and 12-13)
- 5) Effective Date of Adopted Amendments: July 15, 1992
 - 6) Does this rulemaking contain an automatic repeal date? No
 - 7) Do these Adopted Amendments contain incorporations by reference? No
 - 8) Date Filed in Agency's Principal Office: July 15, 1992
 - 9) Notice of Proposal Published in Illinois Register:
November 15, 1991 (15 Ill. Reg. 16596)
 - 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
 - 11) Difference(s) between proposal and final version: No substantive changes were made to the text of the Amendments.
 - 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

112.70	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.71	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.72	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.74	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.78	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.79	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.82	Amendment	March 6, 1992 (16 Ill. Reg. 3335)

15) Summary and Purpose of Adopted Amendments:

89 Ill. Adm. Code 112.110

This rulemaking updates the Department's policy on exempt unearned income.

89 Ill. Adm. Code 112.400

This rulemaking implements a change in federal regulation that denies transitional child care benefits when AFDC is cancelled due to employment if the caretaker relative is removed from assistance for noncooperation with child support enforcement services.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Bureau of Rules and Regulations

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section	
112.1	Description of the Assistance Program
112.5	Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Lack of Parental Support or Care
112.61	Death of a Parent
112.62	Incapacity of a Parent
112.63	Continued Absence of a Parent
112.64	Unemployment of the Parent

SUBPART C: PROJECT CHANCE

Section	
112.70	Participation Requirements For Project Chance
112.71	Individuals Exempt From Project Chance
112.72	Project Chance Participation/Cooperation Requirements
112.73	Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74	Project Chance Initial Assessment
112.76	Process/Development of an Employability Plan
112.77	Project Chance Orientation
112.78	Conciliation and Fair Hearings
112.79	Project Chance Components
112.80	Project Chance Sanctions
112.81	Good Cause for Failure to Comply with Project Chance Participation Requirements
112.82	Responsible Relative Eligibility For Project Chance
	Project Chance Supportive Services

NOTICE OF ADOPTED AMENDMENTS

112.83	Young Parents Program
112.84	Work Experience Evaluation Project
112.85	Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section	
112.86	Project Advance
112.87	Project Advance Experimental and Control Groups
112.88	Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89	Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90	Project Advance Sanctions
112.91	Good Cause for Failure to Comply with Project Advance
112.93	Individuals Exempt From Project Advance
112.95	Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section	
112.98	Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.100	Unearned Income
112.101	Unearned Income of Stepparent or Parent
112.105	Budgeting Unearned Income
112.106	Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107	Initial Receipt of Unearned Income
112.108	Termination of Unearned Income
112.110	Exempt Unearned Income
112.115	Educational Benefits
112.120	Incentive Allowances
112.125	Unearned Income In-Kind
112.126	Earmarked Income
112.127	Lump Sum Payments
112.128	Protected Income
112.130	Earned Income
112.131	Earned Income Tax Credit
112.132	Budgeting Earned Income
112.133	Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.134	Initial Employment
112.135	Budgeting Earned Income For Contractual Employees

DEPARTMENT OF PUBLIC AID

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112.136	Budgeting Earned Income For Non-Contractual School Employees
112.137	Termination of Employment
112.138	Transitional Payments
112.140	Exempt Earned Income
112.141	Earned Income Exemption
112.142	Exclusion From Earned Income Exemption
112.143	Recognized Employment Expenses
112.144	Income From Work/Study/Training Program
112.145	Earned Income From Self-Employment
112.146	Earned Income From Roomer and Boarder
112.147	Income From Rental Property
112.148	Payments from the Illinois Department of Children and Family Services
112.149	Earned Income In-Kind
112.150	Assets
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AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. ~~1989~~1991, ch. 23, pars. 4-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415,

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effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 1, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982;

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amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5,

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1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 11 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days;

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emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.110 Exempt Unearned Income

a) The following unearned income shall be exempt from consideration in determining eligibility and the level of assistance payment:

1)a) The value of the coupon allotment under the Food Stamp Act of 1977 (7 U.S.C. 2017(b));

2)b) The value of the U.S. Department of Agriculture donated foods (surplus commodities);

3)c) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);

4)d) Any per capita judgment funds paid under P.L. 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana (25 U.S.C. 1264); Any funds distributed per capita to or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134, P.L. 94-114 or P.L. 94-540;

5)e) Any benefits received under Title III-VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 U.S.C. 3030e-3045 et seq.);

6)f) Any compensation provided to individual volunteers under the Retired Senior Volunteer

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Section 112.110(f) (continued)

Program and the Foster Grandparent Program and Older Americans Community Service Programs established under Title II of the Domestic Volunteer Service Act, as amended (42 U.S.C. 4951 et seq.);

7)g) Income received under the provisions of Section 4(c) of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act (Ill. Rev. Stat. 19891291, ch. 67 1/2, par. 404 (c)). This includes both the benefits commonly known as the circuit breaker and additional grants;

8)h) Payments to volunteers under the 1973 Domestic Volunteer Service Act (48 U.S.C. 5044 (q)). These include:

A)1) Vista Volunteers;

B)2) Volunteers serving as senior health aids, senior companions, or foster grandparents;

G)3) Persons serving in the Service Corps of Retired Executives (SCORE) or the Active Corps of Executives (ACE);

9)l) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Jobs Training Partnership Act;

10)i) Inconsequential income, which is defined as gifts, prizes or other unearned income (excluding those unearned income items referenced in subsections f)1)-(a) through (i) f)10) above), of up to \$30 per person per quarter;

b) The following additional unearned income shall be exempt:

1)k) Social Security death benefit expended on a funeral and/or burial;

2)l) The value of home produce which is used for personal consumption;

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Section 112.110 (continued)

3)m) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, (42 U.S.C. 1780(b)) and the special food service program for children under the National School Lunch Act, as amended (42 U.S.C. 1760);

4) Any payments distributed per capita or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134 or P.L. 94-450 (25 U.S.C. 1487);

5)n) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1626);

6)o) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437 (f));

7)p) Child support payments made to an assistance unit by the Department which represents the first \$50 or any lesser amount of support collected, in a month;

8)q) Any payment Payments received under Title I of P. L. 100-383 of the Civil Liberties Act of 1988 (50 U.S.C. 1989b thru 1989d-8);

9)r) Any payments Payments received under Title II of P. L. 100-383 of the Aleutian and Pribilof Islands Restitution Act (50 U.S.C. 1989c thru 1989c-8);

10)s) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201;

t) Payments received under the Radiation Exposure Compensation Act;

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Section 112.110 (continued)

- u) Federal subsidized housing payments under Section 8 of the Housing and Community Development Act of 1974, effective January 1, 1975, of the U.S. Housing Act of 1937, as amended:
- v) Payments from the principal or trust of a trust fund made to or on behalf of a dependent child when the court orders the money released for a specific purpose other than the income maintenance needs of the child;
- w) Adoption subsidy on foster care payments received from the Department of Children and Family Services (DCFS);
- x) Supportive Service payments made by Project Chance to any Project Chance participant (Section 112.82); and
- y) Benefits paid to eligible households under the Low Income Home Energy Assistance Act of 1981 pursuant to Section 2605(f) of P.L. 97-35.

(Source: Amended at 16 Ill. Reg. 11550, effective July 15, 1992)

SUBPART K: TRANSITIONAL CHILD CARE

Section 112.400 Transitional Child Care Eligibility

- a) The Department will guarantee child care for each family with a child (as described in subsections (d) and (e)) whose eligibility for AFDC benefits has ceased due to increased hours of, or earning from, employment, or as a result of the loss of income disregards due to expiration of the time limits at Section 112.142(b).
- b) The family must request child care benefits and provide information necessary for determining eligibility and fees, such as income verification, family size, provider information, and ages of children.
- c) The family must have ceased to be eligible for AFDC on or after October 1, 1989.
- d) A family is eligible to receive Transitional Child Care benefits under this Subpart to the extent such

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Section 112.400(d) (continued)

- child care is necessary to permit a member of an AFDC family to accept or retain employment if the family otherwise meets the conditions of eligibility.
- e) Eligibility is also provided to children who meet the criteria in subsection (d) above who would be a dependent child except for the receipt of benefits under Supplemental Security Income under Title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or foster care under Title IV-E of the Social Security Act (42 U.S.C. 670 et seq.) if the conditions of the above mentioned subsections are otherwise met.

f) Eligibility for transitional child care benefits does not exist if a caretaker relative:

- 1) does not cooperate with child support enforcement services without good cause (see 89 Ill. Adm. Code 160.30 thru 160.45);
- 2) is deleted from the assistance unit; and
- 3) subsequently becomes ineligible for assistance due to increased hours of employment or earnings.

(Source: Amended at 16 Ill. Reg. 11550, effective July 15, 1992)

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- 1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Numbers: Adopted Action:
113.108 Repealed
113.109 Repealed
113.110 Repealed
113.113 Amendment
- 4) Statutory Authority: Sections 3-12 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-12 and 12-13)
- 5) Effective Date of Adopted Amendments: July 15, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 15, 1992
- 9) Notice of Proposal Published in Illinois Register:
November 15, 1991 (15 Ill. Reg. 16610)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Difference(s) between proposal and final version: No substantive changes were made to the text of this rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendments: This rulemaking amends Section 113.113 to update the Department's policy on exempt unearned income. Additionally, pursuant to the Joint Committee on Administrative Rules' request, the Department is deleting extraneous Sections from Part 113 of

its Administrative Rules. Specifically, Sections 113.108 thru 113.110 are deleted because they are basically the same as Sections 113.111 thru 113.113.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

Section
113.1 Description of the Assistance Program
113.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
113.9 Client Cooperation
113.10 Citizenship
113.20 Residence
113.30 Age
113.40 Blind
113.50 Disabled
113.60 Living Arrangement
113.70 Institutional Status
113.80 Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section
113.100 Unearned Income
113.101 Budgeting Unearned Income
113.102 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.103 Initial Receipt of Unearned Income
113.104 Termination of Unearned Income
113.105 Unearned Income In-Kind
113.106 Earmarked Income
113.107 Lump Sum Payments and Income Tax Refunds
113.108 Protected Income (Repealed)
113.109 Earned Income (Repealed)
113.110 Budgeting Earned Income (Repealed)
113.111 Protected Income
113.112 Earned Income
113.113 Budgeting-Earned-Exempt Unearned Income
113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.115 Initial Employment
113.116 Budgeting Earned Income For Contractual Employees

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113.117 Budgeting Earned Income For Non-contractual School Employees
113.118 Termination of Employment
113.120 Exempt Earned Income
113.125 Recognized Employment Expenses
113.130 Income From Work/Study/Training Programs
113.131 Earned Income From Self-Employment
113.132 Earned Income From Roomer and Boarder
113.133 Earned Income From Rental Property
113.134 Earned Income In-Kind
113.139 Payments from the Illinois Department of Children and Family Services
113.140 Assets
113.141 Exempt Assets
113.142 Asset Disregard
113.143 Deferral of Consideration of Assets
113.154 Property Transfers For Applications Filed Prior To October 1, 1989
113.155 Property Transfers For Applications Filed On Or After October 1, 1989
113.156 Court Ordered Child Support Payments of Parent/Step-Parent
113.157 Sponsors of Aliens
113.160 Assignment of Medical Support Rights

SUBPART D: PAYMENT AMOUNTS

Section
113.245 Payment Levels for AABD
113.246 Personal Allowance
113.247 Personal Allowance Amounts
113.248 Shelter
113.249 Utilities and Heating Fuel
113.250 Laundry
113.251 Telephone
113.252 Transportation, Lunches, Special Fees
113.253 Allowances for Increase in SSI Benefits
113.254 Nursing Care or Personal Care in Home Not Subject to Licensing
113.255 Sheltered Care in a Licensed Group Care Facility
113.256 Shopping Allowance
113.257 Special Allowances for Blind and Partially Sighted (Blind Only)
113.258 Home Delivered Meals
113.259 AABD Fuel and Utility Allowances By Area
113.260 Sheltered Care Rates
113.261 Cases in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and All Other Licensed Medical Facilities

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SUBPART E: OTHER PROVISIONS

Persons Who May Be Included In the Assistance Unit

Grandfathered Cases
Interim Assistance (Repealed)
Special Needs Authorizations
Retrospective Budgeting
Budgeting Schedule
Purchase and Repair of Household Furniture (Repealed)

Property Repairs and Maintenance
Excess Shelter Allowance
Redetermination of Eligibility

SUBPART F: INTERIM ASSISTANCE

Description of the Interim Assistance Program
Pending SSI Application
More Likely Than Not Eligible for SSI
Non-Financial Factors of Eligibility
Financial Factors of Eligibility
Payment Levels for Chicago Interim Assistance Cases
Payment Levels for all Interim Assistance Cases Outside Chicago

Medical Eligibility
Attorney's Fees for SSI Applicants
Advocacy Program for Persons Receiving Interim Assistance
Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. §9891921, ch. 23, pars. 3-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321,

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effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11260, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13

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Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section 113.108 Protected Income (Repealed)

~~Supplemental-Security-Income-(SSI)-shall-be-protected-income which-shall-not-be-considered-available-to-meet-the-needs-of any-other-individual--(Agency-Note--Retrospective-lump-sum payments-made-by-the-Social-Security-Administration-to-SSI recipients-are-not-protected-income-but-are-to-be-considered-as any-other-lump-sum-payment--)~~

(Source: Repealed at 16 Ill. Reg. 11565, effective July 15, 1992)

Section 113.109 Earned Income (Repealed)

- a) ~~All-currently-available-income-which-is-not-specified as-exempt-shall-be-considered-in-the-determination-of eligibility-and-the-level-of-the-assistance-payment.~~
- b) ~~Earned-income-is-remuneration-acquired-through-the~~

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 113.109(b) (continued)

receipt-of-salaries-or-wages-for-services-performed-as-an-employee-or-profit-from-an-activity-in-which-the-individual-is-self-employed.

(Source: Repealed at 16 Ill. Reg. 11565, effective July 15, 1992)

Section 113.110 Budgeting Earned Income (Repealed)

a) Budgeting-is-the-method-by-which-non-exempt-income-is-compared-to-the-applicable-Standard-(as-contained-in Sections-113.246-to-113.256)-plus-additional-income maintenance-needs-to-determine-the-amount-of-the-monthly-assistance-payment-for-the-assistance-unit.

b) Monthly-earned-income-of-a-client-is-budgeted-on-the-basis-of-the-income-anticipated-to-be-received-during the-budgeting-period, and-is-determined-by-calculating the-average-monthly-non-exempt-earned-income-received by-the-client-in-the-prior-four-month-period. If-the-client-reports-a-change-in-income-or-the-averaged monthly-income-is-at-variance-with-the-income-expected to-be-received, anticipated-earned-income-is-to-be-estimated-based-on-information-provided-by-the-client and-verification-of-that-information. All-income-is-to-be-reverted-into-monthly-amounts. Budgeting occurs-upon-initial-determination-upon

redetermination, and-when-the-client-reports-a-change in-the-source-or-amount-of-income-received.

(Source: Repealed at 16 Ill. Reg. 11565, effective July 15, 1992)

Section 113.113 Budgeting-Earned-Exempt-Unearned Income

a) Budgeting-is-the-method-by-which-non-exempt-income-is-compared-to-the-applicable-payment-levels-(as-contained-in Sections-113.246-to-113.256)-plus-additional-income-maintenance-needs-to-determine-the-amount-of-the-monthly-assistance-payment-for-the-assistance-unit.

b) Monthly-earned-income-of-a-client-is-budgeted-on-the-

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 113.113(b) (continued)

basis-of-the-income-which-the-client-reports-as-received-during-the-budget-month.
e) If-a-recipient-has-more-than-one-employer, the-monthly-income-shall-be-calculated-from-all-jobs.

The following unearned income is exempt from consideration in determining eligibility for assistance and the amount of the assistance payment.

a) The value of the coupon allotment under the Food Stamp Act of 1977 (7 U.S.C. 2017(b)).

b) The value of the U.S. Department of Agriculture donated foods (surplus commodities);

c) The value of home produce which is used for personal consumption;

d) The value of supplemental food assistance received under the Child Nutrition Act of 1966 as amended (42 U.S.C. 1780(b)), and the special food service program for children under the National School Lunch Act as amended (42 U.S.C. 1760);

e) Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended, (42 U.S.C. 3045 et seq.);

f) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636);

g) Any funds distributed per capita or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134, or P.L. 94-540;

h) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (42 U.S.C. 1601 et seq.);

i) Any compensation provided to individual volunteers under the Retired Senior Volunteer Program and the Foster Grandparent Program and Older Americans Community Service Programs established under Title VI of the Older Americans Act of 1965, as amended (42 U.S.C. 3045 et seq.).

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NOTICE OF ADOPTED AMENDMENTS

Section 113.113 (continued)

- i) Payments to Volunteers under the 1973 Domestic Volunteer Service Act (48 U.S.C. 5044(g)). These include:
- 1) Vista Volunteers; and
 - 2) Volunteers serving as senior health aides, senior companions, foster grandparents, or persons serving in the Service Corps of Retired Executives (SCOPE) or the Active Corps of Executives (ACE).
- k) Income received under the provisions of the Illinois "Senior Citizens and Disabled Persons Property Tax Relief Act" (Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 401 et seq.). This includes both the benefits commonly known as the "circuit breaker" and "additional grants".
- l) Social Security death benefit expended on a funeral and/or burial;
- m) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 U.S.C. 1437(f));
- n) Any payments distributed per capita or held in trust for members of Indian tribes under Section 5 of P.L. 94-114 that became effective October 17, 1975;
- o) SSI lump sum payments received by MANG participants who reside in the community (not residing in a long term care facility, DMHDD facility or other medical facility);
- p) Any adoption subsidy received from DCFS;
- q) Any foster care payment received from DCFS except independent living arrangement payments;
- r) Title IV-E adoption assistance or foster care payment received from a state welfare agency of another state are exempt for MANG.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 113.113 (continued)

- s) Any payment received from the Self Sufficiency Trust Fund established in accordance with ch. 91 1/2, par. 5-118;
- t) Any payment received under Title I of P.L. 100-383, the Civil Liberties Act of 1988, which provides that restitution shall be made to United States citizens and permanent resident aliens of Japanese ancestry who were interned during World War II;
- u) Any payment received under Title II of P.L. 100-383, the Aleutian and Pribilof Islands Restitution Act, which provides that restitution shall be made to any Aleut living on the date of enactment of P.L. 100-383 (August 10, 1988) who, as a civilian, was relocated by authority of the United States from his or her home village on the Pribilof Islands or the Aleutian Islands west of Unimak Island to an internment camp, or other temporary facility or location during World War II; or who was born while his or her natural mother was subject to such relocation;
- v) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201; and
- w) Payments received under the Radiation Exposure Compensation Act.

(Source: Amended at 16 Ill. Reg. 11565, effective July 15, 1992)

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: ASSISTANCE STANDARDS
- 2) Code Citation: 89 Ill. Adm. Code 111
- 3) Section Number: Adopted Action:
111.101 Amendment
- 4) Statutory Authority: Section 12-4.11 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, Ch. 23, Par. 12-4.11)
- 5) Effective Date of Adopted Amendments: July 15, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 15, 1992
- 9) Notice of Proposal Published in Illinois Register:
November 22, 1991 (15 Ill. Reg. 16851)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Difference(s) between proposal and final version:
No changes were made to the text of the Amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Adopted Amendments: This rulemaking increases the Department's Assistance Standards in accordance with the methodology established in Section 111.20. The Assistance Standards are updated each January 1. The amount of the increase to be effective January 1, 1992, based on this methodology is 4.4%.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

Name: Judy Umunna
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 111
ASSISTANCE STANDARDS

Section	
111.1	Incorporation By Reference
111.10	Establishment of Assistance Standards
111.20	Computation of the Assistance Standards
111.30	Amount of Assistance Standards (Family of 1)
111.40	Amount of Assistance Standards (Family of 2)
111.50	Amount of Assistance Standards (Family of 3)
111.60	Amount of Assistance Standards (Family of 4)
111.70	Amount of Assistance Standards (Family of 5)
111.80	Amount of Assistance Standards (Family of 6)
111.90	Amount of Assistance Standards (Family of 7 thru 18)
111.100	Amount of Assistance Standards (Child-Only Cases) (Repealed)

111.101 Current Assistance Standards
111.110 Adjustments Following Court Orders

AUTHORITY: Implementing Articles III, IV and VI and authorized by Sections 12-4.11 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989) 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq., 12-4.11 and 12-13).

SOURCE: Filed and effective December 30, 1977; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended at 8 Ill. Reg. 223, effective December 27, 1983; amended at 9 Ill. Reg. 295, effective January 1, 1985; amended at 10 Ill. Reg. 1920, effective January 17, 1986; amended at 11 Ill. Reg. 2297, effective January 16, 1987; amended at 12 Ill. Reg. 871, effective January 1, 1988; amended at 13 Ill. Reg. 85, effective January 1, 1989; amended at 13 Ill. Reg. 3840, effective March 10, 1989; amended at 15 Ill. Reg. 1029, effective January 23, 1991; amended at 16 Ill. Reg. 11577, effective July 15, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 111.101 Current Assistance Standards
Adults and Children

Family Size	Group I	Group II	Group III
1(AFDC and Refugee/Repatriate Assistance)	\$467 487	\$449 469	\$381 398
1(All Other Programs)	364 379	351 368	333 354
2	589 616	570 595	543 568
3	811 844	783 817	749 780
4	914 952	888 927	858 895
5	1069 1116	1038 1083	1000 1042
6	1201 1253	1168 1217	1126 1175
7	1264 1319	1229 1281	1187 1238
8	1331 1389	1296 1353	1249 1302
9	1400 1461	1364 1424	1317 1374
10	1475 1539	1434 1497	1386 1445
11	1553 1621	1509 1575	1459 1523
12	1634 1705	1591 1659	1535 1601
13	1721 1796	1674 1747	1615 1686
14	1812 1891	1762 1838	1699 1773
15	1908 1991	1856 1935	1790 1868
16	2008 2096	1954 2039	1886 1967
17	2114 2207	2057 2147	1985 2071
18	2226 2323	2165 2260	2090 2181

Child-Only

1	224 234	215 223	208 216
2	443 462	439 446	413 432
3	549 573	534 556	523 545
4	703 733	685 715	666 695
5	835 871	815 849	793 826
6	898 936	876 913	851 882
7	965 1007	943 982	914 952
8	1034 1079	1011 1055	981 1024
9	1109 1157	1082 1129	1052 1097
10	1188 1238	1156 1206	1125 1173
11	1268 1323	1237 1291	1200 1252
12	1355 1413	1322 1378	1280 1336

For family sizes greater than 18 or 12, the amount of the Assistance Standard will be determined by adding \$97-\$101 or \$75-\$78 respectively for each person above 18 or 12. All

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NOTICE OF ADOPTED AMENDMENTS

Section 111.101 Current Assistance Standards (Cont'd)

rounding in determining Assistance Standards is done by rounding down to the next whole dollar amount.

(Source: Amended at 16 Ill. Reg. 11577, effective July 15, 1992)

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS

2) Code Citation: 89 Ill. Adm. Code 120

3) Section Numbers: Adopted Action:

120.11 Amendment
120.31 Amendment
120.60 Amendment
120.64 Amendment
120.382 Amendment
120.390 Amendment
120.391 Amendment

4) Statutory Authority: Sections 5-2 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, Ch. 23, Pars. 5-2 and 12-13)

5) Effective Date of Adopted Amendments: July 15, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: July 15, 1992

9) Notice of Proposal Published in Illinois Register:

November 15, 1991 (15 Ill. Reg. 16625)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Difference(s) between proposal and final version: No changes were made to the text of the Amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section Number	Proposed Action	Illinois Register Citation
120.384	Amendment	May 22, 1992 (16 Ill. Reg. 7761)

- 15) **Summary and Purpose of Adopted Amendments:** This rulemaking eliminates the asset requirements for pregnant women and for children born October 1, 1983 or later who do not qualify as mandatory categorically needy. Federal and State laws allow the Department to eliminate the asset test for this eligibility group.

This rulemaking also corrects the age group covered for MANG(P) eligibility as mandated by State and Federal laws. It changes the reference of children under age 8 to children born October 1, 1983, or later through age 19. This change will eliminate the need to update the rules because the MANG(P) coverage group automatically expands each year beginning October 1, 1991.

- 16) **Information and questions regarding these Adopted Amendments shall be directed to:**

Name: Judy Umunna
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section 120.1	Eligibility For Medical Assistance Eligibility For Medical Assistance For Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy Healthy Start - Medicaid Presumptive Eligibility Program For Pregnant Women MANG(AABD) Income Standard MANG(C) Income Standard MANG(P) Income Standard Exceptions To Use Of MANG Income Standard AMI Income Standard (Repealed)
Section 120.10 120.11	Eligibility For Medical Assistance Eligibility For Medical Assistance For Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy Healthy Start - Medicaid Presumptive Eligibility Program For Pregnant Women MANG(AABD) Income Standard MANG(C) Income Standard MANG(P) Income Standard Exceptions To Use Of MANG Income Standard AMI Income Standard (Repealed)
Section 120.12 120.20 120.30 120.31 120.40 120.50	Eligibility For Medical Assistance Eligibility For Medical Assistance For Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy Healthy Start - Medicaid Presumptive Eligibility Program For Pregnant Women MANG(AABD) Income Standard MANG(C) Income Standard MANG(P) Income Standard Exceptions To Use Of MANG Income Standard AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.60	All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG(AABD) and All Other Licensed Medical Facilities Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643
Section 120.61	Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Pregnant Women and Children Under-Age-Six-Years-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy
Section 120.62	Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Pregnant Women and Children Under-Age-Six-Years-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy
Section 120.63	Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Pregnant Women and Children Under-Age-Six-Years-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy
Section 120.64	Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Pregnant Women and Children Under-Age-Six-Years-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

120.65 Department of Mental Health and Developmental Disabilities (DMHDD) Licensed Community - Integrated Living Arrangements

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Section
120.70 Supplementary Medical Insurance Benefits, Buy-In Program
120.72 Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.74 Qualified Medicare Beneficiary (QMB) Income Standard
120.76 Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80

Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90
120.91

Migrant Medical Program
Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section

120.200 Elimination Of Aid To The Medically Indigent
120.208 Client Cooperation (Repealed)
120.210 Citizenship (Repealed)
120.211 Residence (Repealed)
120.212 Age (Repealed)

120.215 Relationship (Repealed)
120.216 Living Arrangement (Repealed)
120.217 Supplemental Payments (Repealed)
120.218 Institutional Status (Repealed)
120.224 Foster Care Program (Repealed)
120.225 Social Security Numbers (Repealed)
120.230 Unearned Income (Repealed)
120.235 Exempt Unearned Income (Repealed)
120.236 Education Benefits (Repealed)
120.240 Unearned Income In-Kind (Repealed)
120.245 Earmarked Income (Repealed)
120.250 Lump Sum Payments and Income Tax Refunds (Repealed)
120.255 Protected Income (Repealed)
120.260 Earned Income (Repealed)
120.261 Budgeting Earned Income (Repealed)
120.262 Exempt Earned Income (Repealed)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

120.270 Recognized Employment Expenses (Repealed)
120.271 Income From Work/Study/Training Program (Repealed)
120.272 Earned Income From Self-Employment (Repealed)
120.273 Earned Income From Roomer and Boarder (Repealed)
120.275 Earned Income In-Kind (Repealed)
120.276 Payments from the Illinois Department of Children and Family Services (Repealed)

120.280 Assets (Repealed)
120.281 Exempt Assets (Repealed)
120.282 Asset Disregards (Repealed)
120.283 Deferral of Consideration of Assets (Repealed)
120.284 Spend-down of Assets (AMI) (Repealed)
120.285 Property Transfers (Repealed)
120.290 Persons Who May Be Included in the Assistance Unit (Repealed)
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120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project.

120.395 Payment Levels for MANG

120.399 Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 19891921, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq, and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5,

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March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987;

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amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; emergency amendment at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at 14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill.

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Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 1582, 10034, effective June 15, 1992; amended at 16 Ill. Reg. 1582, effective July 15, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART B: ASSISTANCE STANDARDS

Section 120.11

Eligibility For Medical Assistance For Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy

- a) Pregnant Women who do not qualify as Mandatory Categorically Needy

1) Eligibility for medical assistance exists for a pregnant woman of any age who does not qualify as mandatory categorically needy (Social Security Act (U.S.C. 1902(a)(10)(A)(i) and 1905(n)):

A) who meets the non-financial requirements of the program in Section 120.211; and

B) whose countable assets do not exceed the MANG(P)-asset-disregard amount (see Section 120.382)-and

C) whose countable monthly income does not exceed the MANG(P) Income Standard (see Section 120.31).

2) The pregnant woman shall be eligible to receive medical assistance until sixty (60) days following the last day of pregnancy. The sixty (60) day medical coverage continues through the last day of the calendar month in which the sixty (60) days period ends. The sixty (60) days medical coverage period shall be provided for all pregnant women determined eligible for medical assistance under subsection (a)(1) above including pregnant women who are no longer pregnant at the time of application because the woman had a miscarriage or an abortion or signed an adoption agreement.

3) When a pregnant woman is determined eligible for

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Section 120.11(a)(3) (continued)

medical assistance under (a)(1) above, income changes occurring after the eligibility determination are not considered through the 60 day postpartum period following the last day of pregnancy.

4) if countable assets exceed the MANG(P)-asset-disregard amount (see Section 120.382)-after the case is determined eligible under subsection (a)(1) above, the pregnant woman is ineligible for medical assistance.

b) Children under-age-eight-born October 1, 1983, or later, who do not qualify as Mandatory Categorically Needy

1) Eligibility for medical assistance exists for children under-age-eight-(8)-born October 1, 1983, or later, who do not qualify as mandatory categorically needy (Social Security Act (U.S.C. 1902 (a)(10)(A)(i) and 1905 (n)):

A) who meet the non-financial requirements of the program in Section 120.211; and

B) whose countable assets do not exceed the MANG(P)-asset-disregard amount (see Section 120.382)-and

C) whose countable monthly income exceeds the MANG(C) or MANG(AABD) income standards (Sections 120.20 and 120.30) but does not exceed the MANG(P) income standard (see Section 120.31).

2) Children under-age-eight-(8)-born October 1, 1983, or later, shall be eligible to receive medical assistance under subsection (b)(1) above:

A) only from the date of birth up-to-age-eight-(8)-thru age nineteen (19); or

B) up-to-age-eight-(8)-thru age nineteen (19) if an application is approved for medical assistance; or

C) until countable assets exceed the MANG(P)

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Section 120.11(b)(2)(C) (continued)

~~asset-disregard-amount-(see-Section-120.382)-or-~~

- B)C) until countable monthly income exceeds the MANG(P) income standard (see Section 120.31), whichever comes first.

- 3) When the Department becomes aware of the birth of a child(ren) to a woman determined eligible under subsection (a)(1) above, the child shall be deemed to have applied for medical assistance under subsection (b)(1) above, without written request. The child(ren) shall be eligible to receive medical assistance for the same period of time the mother is receiving medical assistance.

- 4) When the child's mother becomes ineligible for medical assistance under subsection (a) above, the infant retains eligibility for medical assistance until:

- A) up to age one (1) year; or
- B) up-to-age-eight-(8)-thru age nineteen (19) if an application is approved for medical assistance; or
- C) ~~countable-assets-exceed-the-MANG(P)-asset-disregard-amount-(see-Section-120.382)-or-~~ countable monthly income exceeds the MANG(P) income standard (see Section 120.31), whichever comes first; or
- E)D) if an application is later approved for financial assistance, the child is ineligible for medical assistance under this subsection.

- 5) When a child is determined eligible for medical assistance under this subsection and there is a change in income which causes countable monthly income to exceed the MANG(P) income standard (see Section 120.31), the child is ineligible for medical assistance under this subsection. Countable income must then be compared to the

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Section 120.11(b)(5) (continued)

MANG(C) or MANG(AABD) income standard (see Section 120.20, 120.30) to determine the spend-down amount, if any.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

Section 120.31 MANG(P) Income Standard

- a) MANG(P) is available to pregnant women and to children under-age-eight-(8)-born October 1, 1983, or later who do not qualify as mandatory categorically needy (Social Security Act (U.S.C. 1902(a)(10)(A)(i) and 1905(n)) whose non-exempt countable income does not exceed the MANG(P) income standard. The MANG(P) income standard shall be 133% of the current Federal Poverty Level Income Guidelines, as published annually in the Federal Register, for children under-age-six-(6)-thru age five (5). The MANG(P) income standard shall be 100% of the current Federal Poverty Level Income Guidelines, as published annually in the Federal Register for children ages-six-(6)-and-seven-(7)-born October 1, 1983, or later who are older than age five (5). If the household's countable monthly income exceeds the MANG(P) standard, eligibility for MANG(P) does not exist.

- b) MANG(P) is available for a pregnant woman, of any age, who meets the asset-standard-and-whose countable monthly income for the household does not exceed the MANG(P) income standard. If the pregnant woman is married and her spouse lives with her or if she has dependent children age-eight-(8)-or-older, born before October 1, 1983, her pregnancy does not make her spouse and/or dependent children age-eight-(8)-born before October 1, 1983, or older eligible for MANG(P). The pregnant woman and her spouse's income are combined and compared to the MANG(P) standard for the number of persons in the family even though only the pregnant woman is eligible to receive MANG(P). An unborn child is counted as a family member.

- c) MANG(P) is available for children up-to-age-eight-(8)-who meet the MANG(P)-asset-standard-and-born October 1, 1983, or later whose countable monthly

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Section 120.31(c) (continued)

income for the household does not exceed the MANG(P) income standard.

d) When financial eligibility for MANG(P) is being determined for a child under-age-eight-(8)-year, born October 1, 1983, or later the household's income is combined and compared to the MANG(P) income standard for the family size, including unborn children.

e) When financial eligibility for MANG(P) is being determined for a pregnant woman who meets the requirements for MANG(P), income is considered in the following manner:

- 1) Income is considered for the month of application. When eligibility exists for the month of application, MANG(P) coverage is authorized beginning with the month of application. Income changes occurring after the month of application are not considered through the 60 day period following the last day of pregnancy.
- 2) Income is considered for the month following the month of application when the pregnant woman is income ineligible for the month of application. If eligibility exists for the month following the month of application, MANG(P) coverage is authorized beginning with the month following the month of application. Income changes occurring after the month following the month of application are not considered through the 60 day period following the last day of pregnancy.
- 3) When the case is income ineligible for the month of application and the month following the month of application, financial eligibility is determined under Sections 120.10 and 120.60.
- 4) When determining income eligibility for a backdated month (up to three months before the month of application), the client is eligible for medical coverage beginning with the month income is at or below the MANG(P) Income Standard. Income changes occurring after the month of

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Section 120.31(e)(4) (continued)

authorization are not considered through the 60 day period following the last day of pregnancy.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.60 All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Children Under-Age-Eight-Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy

The following subsections apply to all cases other than those receiving care in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Care Facilities, Department of Mental Health and Developmental Disabilities (DMHDD) Facilities, or DMHDD approved community based residential settings under 89 Ill. Adm. Code 140.643 or pregnant women and children under-age-eight-born October 1, 1983, or later who do not qualify as mandatory categorically needy.

- a) The eligibility period for MANG (AABD) and MANG(C) is one (1) month. The eligibility period shall begin with:
 - 1) the first day of the month of application; or
 - 2) the first day of any month prior to the month of application that the client meets non-financial eligibility requirements up to three months prior to the month of application, if the client so desires; or
 - 3) the first day of a month after the month of application that the client meets non-financial eligibility requirements.
- b) The eligibility period for AMI is six (6) months. The eligibility period shall begin with:
 - 1) the first day of the month of application; or

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Section 120.60(b) (continued)

- 2) the first day of the month prior to the month of application, if the client meets non-financial eligibility requirements and if the client so desires; or
- 3) the first day of a month after the month of application that the client meets non-financial eligibility requirements.

c) Eligibility Without Spend-down for MANG (AABD), MANG(C) and AMI

- 1) If the client's nonexempt income (Sections 120.220, 120.227, 120.325, and 120.342) available during the eligibility period is equal to or below the applicable MANG or AMI Standard (Sections 120.20 and 120.50), and non-exempt assets are not in excess of the applicable asset disregard (Sections 120.282 and 120.382) the client is eligible for Medical Assistance from the first day of the eligibility period. Covered services received during the entire eligibility period will be paid for by the Department.

- 2) The client is responsible to report any changes that occur during the eligibility period which might affect eligibility for Medical Assistance. If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for Medical Assistance. If changes in income, assets or family composition occur which would make the client a spend-down case, a spend-down obligation will be determined and the subsections in (d) below will apply.

- 3) For MANG(C) and MANG(AABD), a full redetermination of eligibility will be made every twelve (12) months. For AMI, clients wishing continued Medical Assistance after the six (6) month eligibility period must reapply for Medical Assistance.

d) Eligibility with Spend-down for MANG (AABD), MANG(C), and AMI

- 1) If the client's nonexempt income available during the applicable eligibility period is greater than

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Section 120.60(d)(1) (continued)

the applicable MANG or AMI Standard and/or non-exempt assets are over the applicable asset disregard, the client must meet the spend-down obligation determined for the eligibility period before becoming eligible to receive Medical Assistance. The spend-down obligation is the sum of the amount by which the client's non-exempt income exceeds the MANG or AMI Standard and the amount of non-exempt assets in excess of the applicable asset disregard.

- 2) The client meets the spend-down obligation by incurring or paying for medical expenses in an amount equal to the spend-down obligation.

- A) Medical expenses shall be applied to the spend-down obligation in chronological order.
- B) Medical expenses incurred prior to the eligibility period may be considered for purposes of spend-down to the extent that the client makes payments on them during the eligibility period or to the extent the medical bills remain the responsibility of the client.

- 3) After application for Medical Assistance, the client will be notified in writing of the spend-down obligation. The client will also be notified of the six-month enrollment period, the time in which no new application is necessary. When proof of incurred medical expenses equal to the spend-down obligation is provided to the local office, eligibility for Medical Assistance shall begin effective the first day that the spend-down obligation is met. Covered services received from that date until the end of the eligibility period will be paid for by the Department. The client shall be responsible directly to the provider for payment for services provided prior to the time client meets the spend-down obligation.

- A) If one bill for medical expenses incurred on a certain date is more than enough to equal the spend-down obligation, part of the bill will be used to meet the spend-down

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Section 120.60(d)(3)(A) (continued)

obligation and the Department will price the bill to determine the Department's liability, if any. The Department shall be liable only if the Department rate is greater than that part of the bill used to meet spend-down and only for the difference between those two amounts.

B) If more than one bill for medical expenses incurred on the same date would be enough to equal or exceed the spend-down obligation, medical expenses shall be applied to the spend-down obligation in the following order:

- i) Medicare and other health insurance premiums, deductibles or coinsurance charges;
- ii) medical expenses for services recognized under State law but not included in the State plan;
- iii) medical expenses for services included in the State plan. Once medical expenses are applied towards the spend-down obligation, the order of application shall not be changed.

C) If a service is provided during the eligibility period but payment may be made by a third party, such as an insurance company, the medical expense will not be considered towards spend-down until the bill is adjudicated. When adjudicated, that part determined to be the responsibility of the client shall be considered as incurred on the date of service.

4) Prior to the end of the six-month enrollment period all clients, whether or not the spend-down obligation has been met, shall be notified in writing that enrollment will end on a certain date. The client will also be informed by this notice that if he or she wishes continued Medical Assistance, a reapplication must be filed. Upon reapplication, a new six-month enrollment period will be established (assuming non-financial

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Section 120.60(d)(4) (continued)

factors of eligibility are met), and, if appropriate, a new spend-down obligation will be created. If the client files a reapplication prior to four (4) months after the end of the initial six-month enrollment period, the client will be sent through a special, abbreviated intake procedure making use of current case record materials to verify factors of eligibility not subject to change.

5) The client is responsible to report any changes that occur during the six-month enrollment period which might affect eligibility for Medical Assistance. If changes occur, appropriate action shall be taken by the Department, including termination of eligibility for Medical Assistance.

6) If changes in income, assets or family composition occur, appropriate adjustments to the spend-down obligation and date of eligibility for Medical Assistance shall be made by the Department. The client will be notified in writing of the new spend-down obligation.

A) If income decreases or assets fall below the applicable asset disregard and, as a result, the client has already met the new spend-down obligation, eligibility for Medical Assistance shall be back-dated to the appropriate date.

B) If income or assets increase, and, as a result, the client has not produced proof of incurred medical expenses equal to the new spend-down obligation, the written notification of the new spend-down amount will also inform the client that he or she will no longer receive a Medical Eligibility Card and eligibility for Medical Assistance will be interrupted until proof of medical expenses equal to the new spend-down obligation is produced.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

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Section 120.64 Pregnant Women and Children Under-Age-Eight-
years-Born October 1, 1983, or Later Who Do
Not Qualify As Mandatory Categorically Needy

- a) The following subsections apply to MANG(P) clients:

The eligibility period for a MANG(P) client shall begin with:

- 1) the first day of the month of application, or;
- 2) the first day of any month prior to the month of application if the client so desires up to three months prior to the month of application, or;
- 3) the first day of the month after the month of application, or;
- 4) the first day of a month a pregnant woman and/or child under-age-eight-(8)-years-born October 1, 1983, or later, meets the requirements of Sections 120.11 and 120.31.

- b) The pregnant woman shall be eligible to receive medical assistance until sixty (60) days following the last day of pregnancy. The sixty (60) day medical coverage continues through the last day of the calendar month in which the sixty (60) day period ends. The sixty (60) day medical coverage period shall be provided for all pregnant women determined eligible for medical assistance under Section 120.11(a)(1) above including pregnant women who are no longer pregnant at the time of application because the woman had a miscarriage or an abortion or signed an adoption agreement.

- c) Children shall be eligible to receive medical assistance:

- 1) only from the date of birth of October 1, 1983, or later for up to age-one-(1)-year and including age nineteen (19); or
- 2) up to age-eight-(8)-and including age nineteen (19) if an application is approved for medical assistance; or
- 3) until-countable-assets-exceed-the-MANG(P)-asset-disregard-amount-(see-Section-120.382)-or

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Section 120.64(c) (continued)

- 4)31 until countable monthly income exceeds the MANG(P) income standard (see Section 120.31), whichever comes first.

AGENCY NOTE: A newborn child is automatically eligible to receive medical assistance for the same period of time the mother is receiving medical assistance. Eligibility for the newborn with automatic eligibility shall continue up to age one, without regard to income changes.

- d) Covered services received during the entire eligibility period will be paid by the Department (see 89 Ill. Adm. Code 140.3).
- e) A redetermination of eligibility for MANG(P) will be made every twelve (12) months for children under-age-eight-(8)-born October 1, 1983, or later.
- f) The client is responsible to report any changes that occur during the eligibility period which might affect eligibility for MANG(P). If changes in income or family composition occur which would make the client ineligible for MANG(P), appropriate action shall be taken by the Department, including evaluation of eligibility for other programs or termination of eligibility for medical assistance. Income changes occurring after a pregnant woman is determined eligible for MANG(P) coverage are not considered through the 60 day post-partum period following the last day of pregnancy.
- g) MANG(P) clients shall be eligible without a spend-down obligation amount.
- h) A review of case eligibility for MANG(C) will be conducted for a pregnant woman and continued MANG(P) eligibility for the newborn child will be conducted during the second month of the sixty (60) day extended medical coverage period. If eligible, the case shall be transferred by the Department to the appropriate program without interruption in benefit eligibility. If ineligible, the Department shall notify the client in writing.
- i) A review of case eligibility for MANG(C) will be conducted when a child is seven-years-and-ten-(10)-

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Section 120.64(i) (continued)

~~months-old-determined~~ ineligible for MANG (P). If the child is eligible for MANG(C), the case shall be transferred by the Department without interruption in benefit eligibility. If ineligible, written notification shall be provided to the client.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section 120.382 Asset Disregard

In addition to the exempt assets listed in Section 120.381, the cash value of assets shall be disregarded as follows:

a) MANG (AABD)

- 1) \$2,000.00 for a client and \$3,000.00 for a client and one dependent residing together.
- 2) \$50.00 for each additional dependent residing in the same household.
- 3) Eligibility for MANG does not exist when non-exempt assets exceed the above disregard.

b) MANG(C)

- 1) \$2,000.00 for a one person assistance unit and \$3,000.00 for a two-person assistance unit.
- 2) \$50.00 for each additional member of the assistance unit.

e) MANG(P)-----\$5000-regardless-of-the-family-size-

d)c) Qualified Medicare Beneficiary (QMB)

- 1) \$4,000 for a single person and \$6,000 for a person with one or more dependents.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 120.382(c) (continued)

- 2) Eligibility for QMB status does not exist when countable assets exceed the above disregard.
(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

Section 120.390 Persons Who May Be Included In the Assistance Unit

a) MANG(C)

- 1) The assistance unit must include at least one eligible child or only an adult(s) caretaker relative whose eligibility is based on a child who is otherwise eligible except the child receives SSI. No more than two of the following individuals may be included as adults:

A) The caretaker relative;

B) The parent of an eligible child;

C) The needy relative other than the caretaker relative who provides at least one of the following services:

- i) child care which enables the caretaker relative to work on a full-time (at least 100 hours per month) paid basis outside the home;
- ii) care for an incapacitated family member in the home;
- iii) child care that enables a caretaker relative to receive training full-time;
- iv) child care that enables a caretaker relative to attend high school or General Educational Development (GED) classes full-time; or
- v) child care for a period not to exceed two months that enables the caretaker

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 120.390(a)(1)(C)(v) (continued)

relative to participate in a Project Chance (AFDC) work program such as Job Search.

- 2) The eligibility of a child in an Assistance unit depends on that child's lack of parental support or care. All eligible dependent children and stepchildren in a family unit shall be included in a single case, except in two-parent households where there are children of differing parentage, some of whom lack parental support or care because of the unemployment of a parent. In such a circumstance two separate assistance cases shall be established: one for both adults and children whose eligibility derives from their parent's unemployment and one for the remaining children. The provisions of this Section shall not affect the right of a child who is a parent to receive assistance in a separate case as a caretaker relative for his/her dependent child.

b) MANG(AABD)

The eligible person only shall be included in the assistance unit.

c) MANG(P)

The assistance unit shall only include pregnant women and children under-age-eight-~~(8)~~ born October 1, 1983, or later who meet the eligibility requirements of Section 120.11.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

Section 120.391

Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Under-Age-Eight-Born October 1, 1983, or Later

a) Individuals Under Age 18

- 1) Medical assistance shall be provided to individuals under age eighteen (18) who do not qualify for AFDC under the definition of dependent child as defined in 89 Ill. Adm. Code

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 120.391(a)(1) (continued)

101.20 and 112.61 through 112.64. However, such individuals must meet the eligibility requirements and other provisions of 89 Ill. Adm. Code 112.10, 112.20, and 112.Subpart C.

- 2) If non-exempt countable income (see Sections 120.360 thru 120.375) is equal to or less than the appropriate MANG (AFDC) standard, (see Section 120.30) the individual is eligible for payment of his/her allowable medical care costs (see 89 Ill. Adm. Code 140.3).
- 3) Persons whose income exceeds the appropriate MANG (AFDC) standard are eligible for medical assistance each month incurred or paid medical care costs equal the amount of excess non-exempt income over the standard. When income exceeds the MANG (AFDC) standard, eligibility begins on the day in the month incurred or paid medical care costs equals excess monthly income. Eligibility ends on the last day of the same month.

b) Children Under-Age-Eight-Born October 1, 1983, or Later

Medical assistance shall be provided to children under-age-six-~~(6)~~-born October 1, 1983, or later who do not qualify as mandatory categorically needy (Social Security Act (42 U.S.C. 1902(a)(10)(A)(i) and 1905(n)) and meet the eligibility requirements of 89 Ill. Adm. Code 120.11, 120.31, 120.64.

(Source: Amended at 16 Ill. Reg. 11582, effective July 15, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: SPECIAL ELIGIBILITY GROUPS
- 2) Code Citation: 89 Ill. Adm. Code 118
- 3) Section Numbers: Adopted Action:
118.200 Amendment
- 4) Statutory Authority: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).
- 5) Effective Date of Adopted Amendments: July 15, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Adopted Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 15, 1992
- 9) Notices of Proposal Published in Illinois Register:
December 2, 1991 (16 Ill. Reg. 17040)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments: No

- 11) Differences between proposal and final version: Based on agreements reached during discussions with the staff of the Joint Committee on Administrative Rules, in Section 118.200 the Department has added the following sentence:

The Department's program for funding of drugs to prolong the lives of persons with Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) has been replaced by a program operated by the Department of Public Health (see 77 Ill. Adm. Code 692).

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
- 14) Are there any Amendments pending on this Part? No

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Adopted Amendments: This rulemaking amends this section to indicate that the Department of Public Health has assumed responsibility for the AIDS Drug Program (15 Ill. Reg. 14389, October 11, 1991).
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER b: ASSISTANCE PROGRAMS

SUBPART B: MEDICAL PAYMENTS FOR DRUGS FOR NON-MEDICAID PERSONS WITH ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) OR AIDS RELATED COMPLEXES (ARC) OR HUMAN IMMUNODEFICIENCY VIRUS INFECTION (HIV)

Section 118.200 Drugs to Prolong the Lives of Persons With Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) or Persons With The Human Immunodeficiency Virus (HIV)

The Department's program for funding for drugs to prolong the lives of persons with Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) has been replaced by a program operated by the Department of Public Health (see 77 Ill. Adm. Code 692).

Drugs provided under this Section are paid on behalf of low-income individuals with Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC). Funding under this Section is provided through a federal grant for Federal Fiscal Year 1988 (H.R. 1827). Payments under this Section shall be made from October 1, 1987, through September 30, 1988, or the date the federal grant is depleted, whichever occurs first.

a) To qualify for payments under this Section, a person must:

- 1) make application with the Illinois Department of Public Aid (Department);
- 2) if requesting payment for drugs to treat AIDS, be eligible for medical assistance under the Department's medical assistance program;
- 3) not have 100% coverage for the drug by another third-party payer; and
- 4) have anticipated gross monthly income which does not exceed 200% of the Federal Poverty Level for the size of their household.

1988 Poverty Income Guidelines

Size of family unit	Poverty guideline
1	\$-5,770
2	7,730

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER b: ASSISTANCE PROGRAMS

SUBPART A: DISABLED ADULT CHILDREN

Section 118.100 Disabled Adult Children

SUBPART B: MEDICAL PAYMENTS FOR DRUGS FOR NON-MEDICAID PERSONS WITH ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) OR AIDS RELATED COMPLEXES (ARC) OR HUMAN IMMUNODEFICIENCY VIRUS INFECTION (HIV)

Section 118.200 Drugs to Prolong the Lives of Persons With Acquired Immunodeficiency Syndrome (AIDS) or AIDS Related Complexes (ARC) or Persons With The Human Immunodeficiency Virus (HIV)

SUBPART C: WIDOWS AND WIDOWERS

Section 118.300 Widows and Widowers

SUBPART D: MISCELLANEOUS PROGRAM PROVISIONS

Section 118.400 Incorporation By Reference

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 19871991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13).

SOURCE: Emergency rule adopted at 12 Ill. Reg. 3037, effective January 15, 1988, for a maximum of 150 days; adopted at 12 Ill. Reg. 6301, effective March 18, 1988; amended at 12 Ill. Reg. 8068, effective April 26, 1988; amended at 13 Ill. Reg. 3950, effective March 10, 1989; amended at 14 Ill. Reg. 10442, effective June 20, 1990; emergency amendment at 15 Ill. Reg. 8708, effective June 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 11607, effective July 15, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 118.200 (continued)

3 9,690
4 11,650
5 13,610
6 15,570
7 17,530
8 19,490

For family units with more than 8 members, add \$1,960 for each additional member.

- b) Payment shall be made to a pharmacy for Zidovudine (AZT) which has been determined by the Food and Drug Administration to prolong the life of a person with AIDS or ARC.
- c) Payment shall be made at the lesser of the pharmacy's usual and customary charge or its actual acquisition cost plus the established professional fee not to exceed the Department's maximum reimbursement level. If a third party payer will pay for part, but not 100% of the coverage for the drug, the Department will pay for the difference up to the Department's rate for the drug.
- d) The Department will make a disposition and issue a written decision on an application filed pursuant to this Section within thirty (30) days from the date the Department receives the application. An individual can appeal the Department's denial of his/her application. Such appeal shall be in accordance with 89 Ill. Adm. Code 102.70, 102.80, 102.82, 102.83 and 104 Subpart A.

(Source: Amended at 16 Ill. Reg. 11607, effective July 15, 1992)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Structural Pest Control Code
- 2) Code Citation: 77 Ill. Adm. Code 830
- 3) Section Numbers: Adopted Action:
830.10 Amendment
830.880 Amendment
830.885 Amendment
830.890 Amendment
830.900 Amendment
- 4) Statutory Authority:
Illinois Structural Pest Control Act
Ill. Rev. Stat. 1991, ch. 111 1/2, par. 2201 et seq.
- 5) Effective Date of Rules: July 6, 1992
- 6) Does this Rulemaking Contain an Automatic Repeal Date? Yes ___ No X
If "yes," please specify date: _____
- 7) Does this Rulemaking Contain Any Incorporations by Reference? Yes ___ No X
If "yes," please specify type: 6.02(a) ___ or 6.02(b) ___
If "6.02(b)," was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes ___ No ___
- 8) Date Filed in Agency's Principal Office: June 30, 1992
- 9) Date Notice(s) of Proposal was Published in Illinois Register:
February 7, 1992 - 16 Ill. Reg. 2092
- 10) Has the Joint Committee on Administrative Rules Issued a Statement of Objections to this/these Rules? Yes ___ No X
If "yes," please complete the following:
A) Statement of Objection: ____, Ill. Reg. ____
B) Agency Response: ____, Ill. Reg. ____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

C) Date Agency Response Submitted for Approval to the Joint Committee:

11) Difference Between Proposal and Final Version:

No changes were made during the first notice or public comment period.

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect?

Yes No X

14) Are there any other Amendments Pending on this Part? Yes No X

If yes:

Section Numbers Proposed Action III. Reg. Citation

15) Summary and Purpose of Rules:

This rulemaking exempts commercial pest control businesses using avicides for which a permit is not required from filing a notification of bird control form with the Department. The rulemaking removes an exception from obtaining an avicide permit for the control of less than 75 protected birds with specified avicides. In addition, the rulemaking clarifies the type of information needed on the avicide permit application and the time period for review of such permit applications by the Illinois Department of Conservation. Finally, the rulemaking deletes an obsolete grandfather clause relating to bird control training seminar requirements, and clarifies the definition of avicide to exclude certain repellents.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Gail M. DeVito, Division of Governmental Affairs, Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENT(S)

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 0: PEST CONTROL

PART 830
STRUCTURAL PEST CONTROL CODE

SUBPART A: GENERAL

Section	
830.10	Definitions
830.20	Incorporated Materials

SUBPART B: GENERAL REQUIREMENTS

Section	
830.100	License Application for Commercial Structural Pest Control Business Location
830.110	Registration Application for Non-Commercial Structural Pest Control Location
830.120	Application for Examination as a Certified Structural Pest Control Technician
830.130	Re-examination Applications
830.140	Application of Certified Technicians for Examination in Other Sub-categories
830.150	Processing (Repealed)
830.160	Approved Applications (Repealed)
830.170	Disapproved Applications (Repealed)
830.180	License and Registration Renewals
830.190	Change of Business Ownership
830.200	Certification Renewals
830.210	Late Filing Charge
830.220	Non-renewal of Technician Certificates
830.230	Certified Technician at Each Location
830.240	Change of Certified Technician at Place of Employment
830.250	Certificates of Insurance
830.260	Insurance Coverage
830.270	Supervision of a Non-certified Technician
830.280	Inspections and Investigations (Repealed)
830.290	Classification of Pesticides
830.300	Application for Certification in Illinois as a Structural Pest Control Technician by Reciprocity
830.310	Display of License, Registration and Certification
830.315	Procedures for Certification as a Structural Pest Control Technician in Wood Products Pest Control (Repealed)

SUBPART C: EXAMINATIONS

Section

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT(S)

830.400 General Provisions
 830.410 Examinations
 830.420 Examination Schedules (Repealed)
 830.430 Grades
 830.440 Notification of Examination Results
 830.450 Confidentiality of Examination Scores
 830.460 Examinee's Review of Examination

SUBPART D: PEST CONTROL COURSES

Section
 830.500 Application
 830.510 Application (Repealed)
 830.520 Instructors
 830.530 Pest Control Course Description
 830.540 Record of Completion
 830.550 Pest Control Course Evaluation
 830.560 Approval (Repealed)
 830.570 Disapproval of an Application or Recission of Approval (Repealed)

SUBPART E: PEST CONTROL TRAINING SEMINARS (RECERTIFICATION)

Section
 830.600 Application
 830.610 Application (Repealed)
 830.620 Instructors
 830.630 Pest Control Seminars
 830.640 Record of Completion
 830.650 Pest Control Seminar Evaluation
 830.660 Approval (Repealed)
 830.670 Disapproval of an Application or Recission of Approval (Repealed)

SUBPART F: HEARINGS

Section
 830.700 Hearings

SUBPART G: SAFE PESTICIDE STORAGE AND HANDLING

Section
 830.800 General Safety Precautions
 830.810 Misuse of Pesticides
 830.820 Records
 830.830 Pesticide Storage Area
 830.840 Service Vehicles
 830.850 Pesticide Storage Practices
 830.860 Orders to Stop Sales, Use, Seize or Regulate Removal
 830.870 Hazardous Incident Notification and Abatement

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SUBPART H: BIRD CONTROL REQUIREMENTS

Section
 830.880 Avicide Permit Requirements
 830.885 Denial or Revocation of Avicide Permits
 830.890 Bird Control Monitoring and Reporting Requirements
 830.900 Bird Control Training Requirements

ILLUSTRATION A WARNING SIGN-PESTICIDE TREATMENT & VENTILATION
 ILLUSTRATION B RESTRICTED USE PESTICIDE SIGN

AUTHORITY: Implementing and authorized by the Structural Pest Control Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 2201 et seq.) Illinois Pesticide Act (Ill. Rev. Stat. 1991, ch. 5, par. 801 et seq., in particular 803(2), and Section 11(b) of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1991, ch. 8, par. 341(b)) and the Federal Migratory Bird Treaty Act (16 U.S.C., 703 et seq.).

SOURCE: Adopted at 2 Ill. Reg. 19, p. 159, effective May 3, 1978; codified at 8 Ill. Reg. 18492; emergency amendment at 10 Ill. Reg. 17812, effective September 28, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 7736, effective April 15, 1987; amended at 13 Ill. Reg. 2090, effective February 3, 1989; emergency amendments at 14 Ill. Reg. 1036, effective December 22, 1989, for a maximum of 150 days; emergency amendment lapsed on May 21, 1990; amended at 14 Ill. Reg. 12889, effective August 1, 1990; amended at 16 Ill. Reg. 11612, effective July 6, 1992.

SUBPART A: GENERAL

Section 830.10 Definitions

In addition to the definitions contained in the Structural Pest Control Act (Ill. Rev. Stat. 1989 1991, ch. 111 1/2, par. 2201 et seq.), the following definitions, when used herein, shall apply:

"Act" means the "Structural Pest Control Act (Ill. Rev. Stat. 1989 1991, ch. 111 1/2, par. 2201 et seq.)."

"Active ingredient" means any ingredient which will prevent, destroy, repel, control or mitigate a pest.

"Applicant" means any person making an application for a license, registration, examination or certification.

"Avicide" means a pesticide used for bird control, other than a device, which is designed to or with kill birds when used in a manner consistent with its labeling.

"Back flow preventer or vacuum breaker device" means a device,

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT(S)

approved by the Illinois Plumbing Code (77 Ill. Adm. Code 890) used to prevent backflow or backsiphonage of contaminated water or liquid into a water supply system.

"College or university course in related field" means three semester hours or four quarter hours of a college course in biological sciences, physics or chemistry.

"Crack and crevice treatment" means the application of small amounts of a pesticide directly into a crack, crevice, expansion joint, between different elements of construction, between equipment and floors, or into an opening that leads into voids such as hollow walls, equipment legs and bases, conduits, motor housings, junction or switch boxes, where insects may be present.

"Department" means the Illinois Department of Public Health.

"FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act.

"File a renewal application" means the process of completing the renewal form and submitting it to the Department along with the applicable renewal fee as set forth in Section 9 of the Act and evidence either attached to the renewal form or on file with the Department which would indicate that the license, certification or registration renewal requirements of Sections 4(e) and 6 of the Act and Sections 830.180 and 830.200 of this Part have been met.

"Food area" means an area where food is handled, received, packaged, held, processed, prepared, or served.

"Insurance company authorized to transact business" means an insurance company which has been issued a Certificate of Authority by the Director of the Department of Insurance.

"Manner inconsistent with its labeling" means the use of a pesticide in a manner not permitted by the labeling, but does not include, unless USEPA or the pesticide manufacturer indicates to the contrary via written statements prior to the treatment that such use would not be advisable or if it is deleterious to man or his environment, the application of a pesticide which will eliminate or control a pest: at a dosage, concentration or frequency less than specified on the labeling; for a target pest not identified on the labeling as long as the application site is addressed and the labeling does not prohibit the use; or by a method of application not prohibited by the labeling. Termiticides, however, shall be applied in accordance with the product labeling, unless there are written statements from the manufacturer prior to treatment that indicates that another use is more appropriate.

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"Method" means any action or procedure used to determine the presence or absence of a pest.

"Pest control course" means an educational program which addresses the basic theoretical or practical knowledge of pesticides and their application, approved by the Department pursuant to Subpart D of this Part, and is equivalent to six months experience for original certification.

"Pest control specialist" means a person who has a degree from a recognized college or university in one or more fields related to structural pest control and/or pesticides or has a specialized area of interest pertaining to chemical manufacturing and/or research, chemistry, entomology, or environmental sanitation and engineering.

"Pest control training seminar" means a recertification training program which provides the technical and legal aspects of present structural pest control technology, approved by the Department pursuant to Subpart E of this Part.

"Purchasing group" means a purchaser of group insurance which group has registered with the Director of the Department of Insurance.

"Recognized college or university" means an educational institution which has been recognized or approved by the Board of Higher Education, or equivalent, in the State in which it is located; and/or an educational institution accredited by a regional accrediting association recognized by the Council on Post Secondary Accreditation. In either instance, the college or university must be authorized to confer a degree in the fields of Biological Sciences, Entomology, Zoology, or related fields.

"Risk retention group" means an insurance company incorporated and licensed in one of the states of the United States and registered with the Director of the Department of Insurance.

"Service container" means any non-food container utilized to temporarily hold, store or transport a pesticide concentrate or registered ready-to-use product other than the original labeled container provided by the manufacturer, the measuring device or the application device.

"Signal word" means a word or phrase found prominently displayed on the pesticide label which offers an indication of the toxicity and potential danger of a pesticide.

"Treatment period" means the period of time necessary for a room or area to remain closed to unauthorized individuals in order to allow an effective treatment and subsequent drying or settling of the pesticide

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in accordance with label directions or, in their absence, manufacturer's recommendations.

"USEPA" means the United States Environmental Protection Agency.

"Work Site" means and includes any location at which pesticides are handled, mixed, stored, or applied.

(Source: Amended at 16 Ill. Reg. 11612, effective July 6, 1992)

SUBPART H: BIRD CONTROL REQUIREMENTS

Section 830.880 Avicide Permit Requirements

a) Other than 20,25 diazacholestanol, restricted uses of 4-aminopyridine, and restricted uses of 3-chloro-p-toluidine hydrochloride, the use of restricted or general use avicides for the control of any number of pigeons or starlings, or house sparrows in flocks over 500, or any number of other pest birds in flocks of 75 or more is prohibited, unless such avicide is applied by a commercial structural pest control licensee or by a non-commercial structural pest control location having an Avicide Permit (Form #IL #482-0722) obtained as described in this Subpart, except for such avicide use for pest bird control by a non-commercial structural pest control location engaged in the production, protection, care, storage, or transportation of agricultural commodities or already regulated by the Illinois Pesticide Act.

b) Any other use of avicides not requiring a permit requires that the avicide user notify the Department within 5 business days of such use by submitting a Notification of Bird Control form supplied by the Department, providing the information below:

- 1) User information including the user's or company name, license number (if applicable), address, city, state, zip code, telephone number, the name of the supervising technician, the technician's certificate number (if applicable), and telephone number.
- 2) Site information including the name of the site, name of a contact person located at the site, street address or lot number, city, state, zip code, county, or township, range, section, or directions to the site (i.e., subdivision lot number, highway number, secondary roads, signs to follow, etc.) of the bird control operation, instead of a description of the location, a map of the bird control operation site may be attached to the Notice.

- 3) Species and estimated number of birds.

- 4) Brand name and EPA registration number of the avicide.

bc) Restricted avicides must be used, or their use supervised on-site, by a person certified in the sub-category of bird control.

cd) To request an Avicide Permit, a person shall apply on a form (Form IL

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#482-0722), prepared and supplied by the Illinois Department of Public Health, at least fourteen (14) days before the proposed use of pesticides for the control of pest birds. The Avicide Permit Application Form (Form IL #482-0722) shall contain the following information:

- 1) Applicant information including the applicant or company name, license number if applicable, address, city, state, zip code, telephone number, the name of the supervising technician as required in Section 830.880(h)(9)(2), the technician's certificate number (if applicable), and telephone number.
- 2) Site information including the name of the site, name of a contact person located at the site, street address or lot number, city, state, zip code, county, or township, range, section, or directions to the site (i.e., subdivision lot number, highway number, secondary roads, signs to follow, etc.) of the proposed bird control operation. Instead of a description of the location a map of the bird control operation site may be attached to the application.
- 3) Bird survey information including the target bird species and estimated population of each target species. Describe or attach a diagram of the observed feeding, watering, roosting, and loafing sites of the target species. Note if the target pest bird is within or outside of a structure and if the structure is enclosed or open. List observed non-target bird species that are associated with, or are using the same feeding, watering, roosting, or loafing areas as the target birds.

A) Describe what problem the birds are causing that requires control. List the brand name of the avicide, EPA registration number, chemical name and percent as listed under active ingredients on the label. Estimate the amount of the product that will be used as purchased from the manufacturer in units of measurement as applied. Give the estimated beginning and ending dates of the program as well as the schedule of frequency of application of the avicide.

B) Explain what non-avicular methods are being used. List which non-avicular methods have been evaluated and not used and if non-avicular methods are not being used, explain why they have not been used provide an explanation. Explain how, by whom and on what schedule the carcasses of killed birds will be retrieved from the control site and surrounding area.

de) A person shall obtain a separate Avicide Permit (Form IL#482-0722) for each structure for which bird control is needed, except that multiple structures on the same or contiguous pieces of property require only one Avicide Permit.

ef) In compliance with Section 11(b) of the Endangered Species Protection Act (Ill. Rev. Stat. 1989 1991, ch. 8, par. 341(b)), the Department shall submit a copy of the Avicide Permit application to the Illinois Department of Conservation for a 14 day comment period. The

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Department, in consultation with the shall take the Illinois Department of Conservation comments into consideration when it places time, space, volume, coverage, concentration or other special restrictions on the Avicide Permit to reduce the risk to non-target and Illinois endangered or threatened species as listed in 17 Ill. Adm. Code 1010.

fg) The Department shall assign an expiration date to the Avicide Permit or Notification of Bird Control Permit based on the time required to complete the control of pest birds, that will not exceed one year from the date of issuance. The applicant may request an earlier expiration date. The permit holder's use of avicides that required a permit or notification shall stop on the current expiration date of the permit unless a new Avicide Permit is issued by the Department or a new Notification of Bird Control form is received within 5 days of the previous notification's expiration.

gh) Upon receipt of a completed application, the Department shall issue the Avicide Permit to the applicant if:

- 1) The Avicide Permit applicant is currently a licensed commercial structural pest control business or is a non-commercial structural pest control location, as defined in Section 3.13 of the Act, proposing to use avicides at such locations, and;
- 2) The Avicide Permit applicant employs at least:

- A) One person certified in the sub-category of Bird Control who shall supervise at the work site the use of any restricted or non-restricted or general-use avicide, or
- B) One person who has successfully completed a Bird Control Training seminar as described in Section 830.900 of this Part who shall supervise at the work site only the use of non-restricted or general-use avicides, and

- 3) The proposed bird control program does not pose undue risks to health, property, or non-target wildlife, such risks determined by the health benefits, the behaviors of the likely non-target predator and its prey, the proposed amount of pesticide, the intrinsic toxicity of the pesticide, the risk of exposure to the pesticide, and other relevant health and environmental factors as each case requires.

h) The Department shall send a copy of the Avicide Permit to the Illinois Department of Conservation when it is issued to the applicant.

i) A new permit must be applied for if:

- 1) the target flock moves to a location other than as described on the permit or increases in number by 50% or more;
- 2) the amount of avicide needed exceeds the estimate on the permit by 20% or more; or
- 3) any other changes from the original permit occur, other than a decrease in the number of the target flock or a decrease in the amount of avicide used.

(Source: Amended at 16 Ill. Reg. 11612, effective July 6, 1992)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT(S)

Section 830.885 Denial or Revocation of Avicide Permits

a) The Department may deny or revoke an Avicide Permit or Avicide Permit application:

- 1) For failure to meet any of the requirements for granting the permit as specified in 830.880(g) of this Part, or
 - 2) For failure to conduct the bird control program in accordance with the information furnished on the Avicide Permit application (Form IL #482-0722), as described in Section 830.880 of this Part, or
 - 3) For knowingly providing false or inaccurate information on the Avicide Permit application, or
 - 4) For failure to abide by any special restrictions placed on the Avicide Permit under Section 830.880(g) of this Part, or
 - 5) For failure to consider use suitable, effective non-avicular bird control measures, such as devices or procedures including, but not limited to, netting, chemical or mechanical perch repellents, shooting, trapping, or electrocution, or
 - 6) For failure to select and use avicides according to label directions, or
 - 7) For failure to ensure the effective collection of dead or dying birds, or
 - 8) For failure to monitor and record target and non-target birds and animals killed as required in Section 830.890 of this Part, or
 - 9) For failure to submit a Target and Non-Target Bird Census (Form IL #482-0723) at 90-day intervals as required by Section 830.890 of this Part, or
 - 10) For failure to abide by other conditions of the Act or this Section that apply to the structural pest control operations being conducted, or
 - 11) At the recommendation of the Interagency Committee on Pesticides acting under Section 19 of the Illinois Pesticide Act (Ill. Rev. Stat. 1989 1991, ch. 5, par. 819, as amended), or
 - 12) After any illness or death of any hawk or owl (Order Falconiformes or Strigiformes) or animal listed as endangered or threatened in 17 Ill. Adm. Code 1010 as a result of permitted structural pest control for pest birds as determined by autopsy and toxicological analysis arranged for by the Department according to Section 830.890(c) or other reasonable evidence.
- b) Before revoking an Avicide Permit, or denying a permit when a completed application has been received, the Department shall notify the permit holder or applicant in writing and provide such person with an opportunity for an administrative hearing as described in Section 15 of the Act.

(Source: Amended at 16 Ill. Reg. 11612, effective July 6, 1992)

Section 830.890 Bird Control Monitoring and Reporting Requirements

NOTICE OF ADOPTED AMENDMENT(S)

- a) The Avicide Permit holder shall retrieve, identify, accurately estimate the number of, and dispose of according to label directions visible target pest birds killed as a result of the structural pest control activities of the Avicide Permit holder, unless the Department has directed the permit holder in writing to hold them for examination by the Department.
- b) In compliance with the Migratory Bird Treaty Act, the Avicide Permit holder shall immediately notify the Department of, or turn over to the Department, all raptors (Order Falconiformes or Strigiformes) that are found dead, or appear ill, within 20 miles of the control site for the time that the permit is in effect plus two weeks. The Department shall be notified by the permit holder of all other known deaths of non-target birds and animals during the permit period within 1 mile of the control site in order to be in compliance with Section 830.870 and 830.890(d) of this Part.
- c) When possible, the Department will determine if a killed raptor from the area of a bird control operation died as a result of the bird control operation by arranging for autopsy and toxicological analysis by a State or Federal laboratory. The Department shall send these test results to the Avicide Permit holder, the Illinois Department of Conservation, and the U.S. Fish and Wildlife Service.
- d) ~~Within 99 days of the date the permit is issued and every 90 days thereafter until the expiration of the Avicide Permit, the Avicide Permit holder shall submit a completed Target and Non-Target Bird Census form (Form IL #482-0723) to the Department that lists the location, species, number, and dates that birds or animals that were collected or found in accordance with subsection (a) and subsection (b) above.~~

(Source: Amended at 16 Ill. Reg. 11612, effective July 6, 1992)

Section 830.900 Bird Control Training Requirements

- a) In order to successfully complete a Bird Control Training Seminar, the participant must correctly answer at least 70% of the questions on a test administered by the Department at a Bird Control Training Seminar. The test may be retaken without attending the Bird Control Training Seminar only by previous Bird Control Training Seminar participants by appointment with the Department.
- b) A Bird Control Training Seminar shall meet all the requirements of Sections 830.600 of this Part, except that only a one-week advance notice to the Department is required for seminar approval or Department participation in Bird Control Training Seminars conducted before May 17, 1990. Beginning on May 17, 1990, all the advance notice requirements in Section 830.600 must be met.
- c) A Bird Control Training Seminar shall meet all the requirements of Section 830.620 and Section 830.650 of this Part.
- d) A Bird Control Training Seminar shall meet all the requirements of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENT(S)

- Section 830.630 of this Part, except that
- 1) At a minimum, the Bird Control Training Seminar shall cover the relationship to bird control of the subjects described in Section 830.530(c), Section 830.530(d), Section 830.530(h), and Section 830.530(k) of this Part, and
- 2) The Bird Control Training Seminar shall last a minimum of 4 classroom contact hours with an additional one (1) hour set aside for a Department administered test as required in subsection (a) above.
- e) The Sponsor of a Bird Control Seminar shall comply with all the provisions of Section 830.640 of this Part.

(Source: Amended at 16 Ill. Reg. 11612, effective July 6, 1992)

1) Heading of the Part:	Community Care Program
2) Code Citation:	89 Ill. Adm. Code 240
3) Section Numbers:	Emergency Action: Amendment 240.400 New Section 240.415 Repealed 240.451 Repealed 240.720 Repealed 240.725 Repealed 240.726 New Section 240.727 New Section 240.728 Amendment 240.800 Amendment 240.810 Amendment 240.825 Amendment 240.855 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 23 Sections 6104.01(4), (9), (11) and (12); 6104.02, 6104.03 and 6105.02

5) Effective Date of Amendment(s): July 1, 1992

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.

7) Date Filed in Agency's Principal Office: July 1, 1992

8) Reason for Emergency:

During the course of Fiscal Year 1992, many state programs and services were reduced dramatically or even eliminated because of the need to balance the State's budget. The passage of the Emergency Budget Act of Fiscal Year 1992 authorized the Department "to limit services, to reduce or adjust payment rates, and to modify eligibility criteria as necessary to implement contingency reserves" (P.A. 87-838, 87th General Assembly, Special Session, January, 1992) in a continued effort to balance the State's FY92 budget.

It is now Fiscal Year 1993, and there are not sufficient appropriations for the Community Care Program to reinstate services to grandfathered clients or to reinstate prior service maximum levels.

As a result of the above and pursuant to An Act in Relation to

NOTICE OF EMERGENCY AMENDMENTS

the Operation and Finance of State Government in which the General Assembly has found that the "State's current financial situation constitutes an emergency" and thereby authorizes the Department to "implement the changes made by this amendatory Act of 1992 or other budget reduction initiatives for Fiscal Year 1993 through the use of emergency rules . . . except that the 24-month limitation on the adoption of similar emergency rules . . . do not apply to rules adopted to implement changes made by this amendatory Act of 1992" (87th General Assembly, Spring Session, July, 1992), it has become necessary for the Department on Aging to make emergency amendments to those rules which deal with service maximums based on the client's Determination of Need score, those rules which deal with "grandfather" clients and those rules which deal with client appeals as was the case under the Emergency Budget Act of Fiscal Year 1992.

With these emergency changes, the Department on Aging will not be required to reinstate services to grandfathered clients and will not have to reinstate prior service maximum levels, thereby ensuring that the limited resources of the Community Care Program are distributed equitably and distributed most specifically to those elderly in the greatest economic and social need; and, to allow the Department to afford each applicant/client their applicable and appropriate appeal rights in accordance with Departmental rule requirements and statutory mandates.

A Complete Description of the Subjects and Issues Involved:

Effective July 1, 1992, those agencies which provide services under the Community Care Program will not reinstate grandfathered clients and will not reinstate prior service maximum levels. All agencies which provide Community Care Program services are affected by this emergency rulemaking.

This emergency rulemaking allows the Department to not be required to reinstate services to grandfathered clients and to not have to reinstate prior service maximum levels, thereby ensuring that the limited resources of the program are distributed equitably and distributed most specifically to those elderly in the greatest economic and social need.

Are there any proposed amendments pending on this Part? Yes.

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT ON AGING

DEPARTMENT ON AGING

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

240.1600 Amendment 16 Ill.Reg. 4087
240.1605 Amendment 16 Ill.Reg. 4087
240.1610 Amendment 16 Ill.Reg. 4087
240.1620 Amendment 16 Ill.Reg. 4087
240.1625 Amendment 16 Ill.Reg. 4087
240.1630 Amendment 16 Ill.Reg. 4087
240.1635 Amendment 16 Ill.Reg. 4087
240.1640 Amendment 16 Ill.Reg. 4087
240.1645 Amendment 16 Ill.Reg. 4087
240.1650 Amendment 16 Ill.Reg. 4087
240.1655 Amendment 16 Ill.Reg. 4087
240.1660 Amendment 16 Ill.Reg. 4087
240.1665 Amendment 16 Ill.Reg. 4087
240.1661 New Section 16 Ill.Reg. 5083

11) Statement of Statewide Policy Objectives: Not applicable.

12) Information and questions regarding this amendment shall be directed to:

Name: Mary J. Mayes
Address: Policy and Rules Analyst
Illinois Department on Aging
421 East Capitol Avenue
Springfield, IL 62701
Telephone: (217) 785-3357

The full text of the Emergency Amendment(s) begins on the next page:

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CHAPTER II: DEPARTMENT ON AGING

PART 240
COMMUNITY CARE PROGRAM

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Community Care Program
Department Prerogative
Services Provided
Maintenance of Effort
Program Limitations
Completed Applications Prior to August 1, 1982 (Repealed)
Definitions

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Chore-Housekeeping Service
Adult Day Care Service
Information and Referral
Demonstration/Research Projects
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Alternative Provider
Individual Chore-Housekeeping Provider

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Applicant/Client Rights and Responsibilities
Right to Apply
Nondiscrimination
Freedom of Choice
Confidentiality/Safeguarding of Case Information
Applicant/Client/Authorized Representative Cooperation
Reporting Changes
Voluntary Repayment

SUBPART D: APPEALS

Section
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EMERGENCY
240.405

Appeals and Fair Hearings
Representation

DEPARTMENT ON AGING

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NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

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 240.430 Informal Review Findings
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 240.610 Establishing Eligibility
 240.620 Home Visit
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 240.715 Determination of Need
 240.720 Clients Prior to Effective Date of This Section
 EMERGENCY (Repealed)

240.725 Clients After Effective Date of This Section (Repealed)
 EMERGENCY
 240.726 Emergency Budget Act Reduction (Repealed)
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 240.727 Minimum Score Requirements
 EMERGENCY
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SUBPART L: ADMINISTRATIVE SERVICE CONTRACT

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SUBPART M: CASE COORDINATION UNITS AND VENDORS

Section
240.1310 Standard Contractual Requirements for Case Coordination Units and Vendors
240.1320 Vendor or Case Coordination Unit Fraud/Illegal or Criminal Acts
240.1330 General Vendor and CCU Responsibilities (Repealed)
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240.1397 Purchases and Contracts (Repealed)
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240.1610 Procurement Cycle
240.1620 Issuance of Vendor Request for Proposal
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240.1635 Evaluation of Vendor Proposals
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AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging (Ill. Rev. Stat. 1991, Ch. 23, pars. 6104.02 and 6104.01(1)).

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 4 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1981; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; codified at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991 for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments at 16 Ill. Reg. 2630 effective February 1, 1992, for a maximum of 150 days; emergency amendments modified and reinstated at 16 Ill. Reg. 2943; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992; emergency amendment at 16 Ill. Reg. 11625 effective July 1, 1992.

NOTE: Bold faced type denotes statutory language.

SUBPART D: APPEALS

Section 240.400 Appeals and Fair Hearings
EMERGENCY

DEPARTMENT ON AGING

NOTICE OF EMERGENCY AMENDMENTS

- a) Any individual who applies for or receives Community Care Program (CCP) services of any kind has the right to appeal a decision, action or inaction of the Department, a Case Coordination Unit (CCU) or a vendor. If the decision, action or inaction is based on an automatic change in eligibility, rates or benefits required by Federal or State law which adversely affects some or all clients, the appeal will be automatically denied and the individual will not be afforded a hearing. The applicant/client/authorized representative shall be notified of his/her right to appeal by the CCU at the time the applicant/client/authorized representative is notified of the action taken. The individual shall be given an explanation of the right to appeal at the time of the initial home visit and upon request. A copy of the rights and responsibilities of a CCP applicant/client (including an explanation of the right to appeal) shall be provided in written format to all applicants/clients/authorized representatives during the initial home visit for determination of eligibility and upon request.
- b) It shall be the responsibility of the applicant/client/authorized representative to advise the Department of his/her intent to appeal.
- c) The effective date of the appeal is the date on which an applicant/client/authorized representative indicates to the Department the intent to appeal either by telephone or in writing.
- d) If the Department is advised of the intent to appeal either by letter or by telephone, the Department shall, within ~~two~~ 2 work days, send to the appellant a Notice of Appeal to Department on Aging form to be completed and signed by the appellant/authorized representative.
- e) The written notice of appeal must be filed with the Department on a Notice of Appeal to Department on Aging form and shall be completed and executed by the appellant/authorized representative and returned to the Department.
- f) The executed Notice of Appeal to Department on Aging form must be submitted to the Department at the following address:

DEPARTMENT ON AGING

NOTICE OF EMERGENCY AMENDMENTS

Illinois Department on Aging
Division of Long Term Care
Post Office Box 60
Springfield, Illinois 62705

- g) No later than ten (10) work days from the date of receipt of a Notice of Appeal to Department on Aging form, the Department shall acknowledge receipt thereof to the appellant/authorized representative, and shall send copies of said acknowledgement to all parties to the appeal.
- h) The written Notice of Appeal to Department on Aging shall include the following:
- 1) the name, address and telephone number of the applicant/client filing the appeal, or on whose behalf the appeal is filed; and
 - 2) the name, address, and telephone number of the authorized representative, if any, filing the appeal on behalf of the applicant/client; and
 - 3) the specific action being appealed, including the date of notice advising the applicant/client/authorized representative of the action appealed and the effective date of that action; and
 - 4) the name of the Case Coordination Unit as indicated on the notice of the action being appealed.
- i) Effective April 1, 1992, Case Coordination Units are to provide a copy of any notice of adverse action to any applicant's/client's authorized representative, if the client has earned 10 points on the Mini-Mental State Examination (MMSE). If the authorized representative is a family member residing with the client, the single notice to the client will suffice.

(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.415 What May Be Appealed
EMERGENCY

NOTICE OF EMERGENCY AMENDMENTS

The following actions of Case Coordination Units (CCUs), vendors, or the Department may be appealed:

- a) Refusal to accept an application or reapplication.
- b) Failure to act upon an application within the mandated time period, unless delayed in any manner by the applicant/client/authorized representative in the determination of eligibility process.
- c) A decision to deny an application or request.
- d) Failure to advise prescreened individuals that they have a choice of:
 - 1) nursing home placement; or
 - 2) receiving in-home or community-based services, if eligible; or
 - 3) declining either of the above options.
- e) A decision to reduce, terminate or in any way change the Community Care Program services or the manner in which those services are provided. If the decision to reduce, terminate or in any way change CCP services is based on an automatic change in eligibility, rates or benefits required by Federal or State law which adversely affects some or all clients, the appeal will be automatically denied and the individual affected will not be afforded a hearing.

- f) A decision to deny a request for redetermination.

- g) Failure to make a decision or take appropriate action on any request made by a client within fifteen (15) calendar days from the date of such request.

- h) The validity and accuracy of the amount billed to a client by a Community Care Program Vendor for the client's incurred expense for care provided.

- i) A decision by a CCU to uphold a vendor decision with which the applicant/client does not agree.

- j) Failure to advise the applicant/client of his/her right to choose a Department authorized vendor in the service

NOTICE OF EMERGENCY AMENDMENTS

area of the applicant/client to provide the services required by the plan of care.

- k) Failure of a CCU to advise an applicant/client or any of his/her rights under the Community Care Program.
- l) Failure of a CCU or vendor to comply with Community Care Program rules.

(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.451 Conduct of Hearing
EMERGENCY

The hearing may be conducted with some or all parties, including the hearing officer, present at different locations connected with each other by telephone.

(Source: Emergency rule added at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.720 Clients Prior to Effective Date of This Section
EMERGENCY
(Repealed)

~~Individuals whose eligibility for the Community Care Program (CCP) was determined prior to the effective date of this Section and who have been continuously served since determination of initial eligibility shall have their need for long term care established by receipt of the following scores on the Determination of Need:~~

- ~~a) Individuals having a combined score on Part A and Part B from zero through twenty eight points, or who have twenty nine or more points overall but fail to receive at least fifteen points on Part A shall be eligible for services costing no less than \$1 and not to exceed \$160 monthly;~~

- ~~b) Individuals having a combined score on Part A and Part B of twenty nine points or more with a minimum of fifteen points on Part A shall have their need for long term care established in accordance with Section 240.725.~~

(Source: Emergency repealer at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

DEPARTMENT ON AGING

NOTICE OF EMERGENCY AMENDMENTS

Section 240.725 Clients After Effective Date of This Section
EMERGENCY (Repealed)

Individuals whose eligibility for the Community Care Program (CCP) is determined on or after the effective date of this Section shall have their need for long term care established by receipt of a minimum score to twenty-nine points fifteen of which must be scored in Part A, Level of Impairment, of the Determination of Need.

a) Individuals scoring from 29 thru 32 points shall be eligible for services costing no less than \$1 and not to exceed \$464 monthly.

b) Individuals scoring from 33 thru 45 points shall be eligible for services costing no less than \$1 and not to exceed \$580 monthly.

c) Individuals scoring from 46 thru 56 points shall be eligible for services costing no less than \$1 and not to exceed \$690 monthly.

d) Individuals scoring from 57 thru 67 points shall be eligible for services costing no less than \$1 and not to exceed \$880 monthly.

e) Individuals scoring from 68 thru 78 points shall be eligible for services costing no less than \$1 and not to exceed \$1020 monthly.

f) Individuals scoring from 79 thru 87 points shall be eligible for services costing no less than \$1 and not to exceed \$1200 monthly.

g) Individuals scoring from 88 thru 100 points shall be eligible for services costing no less than \$1 and not to exceed \$1400 monthly.

(Source: Emergency repealer at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

240.726 Emergency Budget Act Reduction (Repealed)
EMERGENCY

Effective with the delivery of services beginning March 1, 1993 through June 30, 1993, all plans of care for Community Care Program

DEPARTMENT ON AGING

NOTICE OF EMERGENCY AMENDMENTS

clients shall be reduced at a rate of one unit of service for every \$270 of monthly delivered in home services as specified in the following chart:

Delivered Service Amount	Unit(s) Reduced
\$ 1 135-	.5-
136-270	1-0
271-405	1.5-
406-540	2-0
541-675	2.5-
676-810	3-0
811-945	3.5-
946-1080	4-0
1081-1215	4.5-
1216-1350	5-0
1351-Max.	5.5-

(Source: Emergency repealer at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.727 Minimum Score Requirements
EMERGENCY

Individuals determined eligible to receive Community Care Program (CCP) services shall have their need for long term care established by receipt of a minimum score of 29 points on the Determination of Need, 15 of which must be scored on Total Impairment, which includes Part A and the Mini-Mental State Examination (refer to Section 240.715).

(Source: Emergency rule added at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.728 Maximum Payment Levels for Service
EMERGENCY

Maximum monthly service dollars are calculated according to the applicant's/client's total Determination of Need score. These maximum monthly service dollars will be adjusted by the Department to be consistent with any future unit rate adjustments for Community Care Program (CCP) vendors.

DEPARTMENT ON AGING

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NOTICE OF EMERGENCY AMENDMENTS

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- a) Individuals scoring from 29 thru 32 points shall be eligible for services costing not less than \$1 and not to exceed \$190 monthly.
- b) Individuals scoring from 33 thru 36 points shall be eligible for services costing no less than \$1 and not to exceed \$300 monthly.
- c) Individuals scoring from 37 thru 45 points shall be eligible for services costing no less than \$1 and not to exceed \$480 monthly.
- d) Individuals scoring from 46 thru 56 points shall be eligible for services costing no less than \$1 and not to exceed \$600 monthly.
- e) Individuals scoring from 57 thru 67 points shall be eligible for services costing no less than \$1 and not to exceed \$700 monthly.
- f) Individuals scoring from 68 thru 78 points shall be eligible for services costing no less than \$1 and not to exceed \$910 monthly.
- g) Individuals scoring from 79 thru 87 points shall be eligible for services costing no less than \$1 and not to exceed \$1240 monthly.
- h) Individuals scoring from 88 thru 100 points shall be eligible for services costing no less than \$1 and not to exceed \$1445 monthly.

(Source: Emergency rule added at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

SUBPART H: FINANCIAL REQUIREMENTS

Section 240.800 Financial Factors
EMERGENCY

- a) The requirements of Section 240.810 through 240.875 are not applicable to those individuals determined eligible prior to July 1, 1993, and who have had continuous service since that time. However, All clients of the Community Care Program are required to provide

information relative to the value and types of assets owned.

- b) The requirements of Sections 240.825 through 240.875 are not applicable to those individuals determined eligible prior to July 6, 1992, and who have had continuous service since that time. However, All clients of the Community Care Program are required to provide information relative to the amount and source of all income.

(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.810 Assets
EMERGENCY

- a) To be eligible to receive Community Care Program (CCP) services, an applicant/client shall not own non-exempt assets having a combined value in excess of \$10,000. (Refer to Section 240.800.)
- b) The value of non-exempt assets shall be considered in determining eligibility for the Community Care Program.
- c) All assets not specifically exempt are non-exempt.
- d) When a client's non-exempt assets are greater than the allowable disregard (i.e., \$10,000 non-exempt assets), consideration of non-liquid assets may be deferred as follows:
- 1) real property may be deferred from consideration for six (6) months;
 - 2) the client shall sign an agreement to dispose of the real property in excess of the allowable disregard within six (6) months from the date of the agreement; and
 - 3) the six (6) month period for disposition may be extended an additional six (6) months if the client fails to dispose of the asset (through no fault of his/her own) despite reasonable and diligent effort.

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(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.825 Income
EMERGENCY

- a) Documentation of all currently available income which is not specified as exempt shall be provided during the applicant's/client's determination of eligibility for the Community Care Program. ~~(Refer to Section 240.800.)~~
- b) The first \$25.00 of a client's earned or unearned income (other than Supplemental Security Income (SSI) or contributions from a spouse or other individual) is exempt from consideration in determining eligibility. A client is eligible for only one \$25.00 exemption regardless of the types of sources or earned or unearned income.

(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

Section 240.855
EMERGENCY

The requirements of Section 240.855 are ~~not~~ applicable to all CCP clients, ~~these individuals determined eligible prior to July 6, 1992, and who have had continuous service since that time. Continuous service is defined as service which has not been terminated for any of the reasons specified in Section 240.950.~~

- a) An eligible applicant/client of the Community Care Program (CCP) or the applicant's/client's authorized representative shall sign the Client Agreement - Plan of Care agreeing to pay a portion of all income in excess of the federal poverty level to the vendor for expense to be incurred monthly for care.
- 1) Adjustments in the federal poverty level shall be made annually and shall become effective the first day of each State fiscal year.
- 2) Client payments to the vendor shall not exceed the client's monthly incurred expense for care.

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- b) Refusal by the eligible applicant/authorized representative to sign the required Client Agreement - Plan of Care for payment of the expense to be incurred monthly for care shall result in denial of the application.
- c) Refusal by the client/authorized representative to sign the required Client Agreement - Plan of Care for payment of the expense to be incurred monthly for care shall result in termination of CCP services.

(Source: Emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) Section Numbers: Emergency Action:
302.150 Amendment
302.325 New Section
- 4) Statutory Authority: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b101, et seq.)
- 5) Effective Date of Emergency Amendments: July 6, 1992
- 6) If these Emergency amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable.
- 7) Date Filed in Agency's Principal Office: July 6, 1992
- 8) Reason for Emergency:

A number of agencies subject to the Personnel Code have requested approval of intermittent employment arrangements in view of budgetary constraints. The agencies wish to begin this in the immediate future, so an emergency amendment is necessary to effect this within the requested time frame.

- 9) A Complete Description of the Subjects and Issues Involved:

This provision will recognize an "intermittent" employment status where an employee is hired on a basis that varies from the normal work schedule for the agency, for an indefinite period, with the employing agency identifying its staffing need and making work schedule arrangements with the employee.

- 10) Are there any Proposed Amendments pending to this Part? Yes.

<u>Section Number</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
302.822	Amendment	16 Ill. Reg. 8675

- 11) Statement of Statewide Policy Objectives: These amendments have no impact on local governments.

- 12) Information and questions regarding these Emergency Amendments shall be directed to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669

The full text of the Emergency Amendments begin on the next page.

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 302
MERIT AND FITNESS

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302.20	of Examinations
302.30	Veterans Preference
302.40	Announcement of Examination
302.52	Notice to Eligibles
302.55	Grading Examinations
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302.70	Application and Eligibility

SUBPART B: APPOINTMENT AND SELECTION

Section	Eligible Lists
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302.90	Alternative Employment
302.91	Geographic Preference
302.100	Pre-Employment Screening
302.105	Appointment From Eligible List
302.110	Responsibilities of Eligibles
302.120	Removal of Names From Eligible Lists
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302.140	Appointment and Status
302.150	Extension of Jurisdiction B
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SUBPART C: TRAINEES

Section	Programs
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302.175	Limitations on Trainee Appointments
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SUBPART D: CONTINUOUS SERVICE

Section	Definitions
302.190	Interruptions In Continuous Service
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302.210 Deductions From Continuous Service
 302.215 Leave of Absence for Educational Purposes
 302.220 Veterans Continuous Service
 302.230 Peace or Job Corps Enrollees Continuous Service
 302.240 Accrual and Retention of Continuous Service During Certain Leaves
 302.250 Limitations on Continuous Service

SUBPART E: PERFORMANCE REVIEW

Section
 302.260 Performance Records
 302.270 Performance Evaluation Forms

SUBPART F: PROBATIONARY STATUS

Section
 302.300 Probationary Period
 302.310 Certified Status
 302.320 Status Change in Probationary Period
 302.325 Intermittent Status

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SUBPART G: PROMOTIONS

Section
 302.330 Eligibility for Promotion
 302.335 Limitations On Promotions
 302.340 Failure to Complete Probationary Period

SUBPART H: EMPLOYEE TRANSFERS

Section
 302.400 Transfer
 302.410 Intra-Agency Transfer
 302.420 Inter-Agency Transfer
 302.425 Merit System Transfer
 302.430 Geographical Transfer (Agency Directed)
 302.431 Geographical Transfer (Agency Directed) Procedures
 302.432 Notice To Employee
 302.433 Effective Date of Geographical Transfer (Agency Directed)
 302.435 Employee-Requested Geographical Transfer
 302.440 Rights of Transferred Employees
 302.445 Transfer of Duties
 302.450 Limitations on Transfers
 302.460 Employee Records

SUBPART I: DEMOTION

Section

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF EMERGENCY AMENDMENTS

302.470 Demotion
 302.480 Notice to Employee
 302.490 Employee Obligations
 302.495 Salary and Other Benefits of Employee
 302.496 Appeal by Certified Employee
 302.497 Demotion of Other Employees
 302.498 Status of Demoted Employees

SUBPART J: VOLUNTARY REDUCTION AND LAYOFFS

Section
 302.500 Voluntary Reduction of Certified and Probationary Employees
 302.505 Limitations in Voluntary Reduction
 302.507 Definition of Layoff
 302.510 Temporary Layoff
 302.512 Use of Accrued Benefits During Temporary Layoff
 302.514 Notice of Temporary Layoff
 302.516 Return from Temporary Layoff
 302.518 Scheduling of Temporary Layoffs
 302.519 Deferral of Wages
 302.520 Indeterminate Layoff Procedure
 302.523 Voluntary Indeterminate Layoff
 302.525 Disapproval
 302.530 Order of Layoff
 302.540 Effective Date of Layoff
 302.550 Employee Opportunity to Seek Voluntary Reduction
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 302.570 Reemployment Lists
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 302.610 Reinstatement

SUBPART K: DISCHARGE AND DISCIPLINE

Section
 302.625 Definition of Certified Employee
 302.626 Progressive Corrective Discipline
 302.628 Prohibited Disciplinary Action
 302.630 Disciplinary Action Warning Notice
 302.640 Suspension Totaling Not More Than Thirty Days in any Twelve Month Period
 302.660 Suspension Totaling More than Thirty Days in any Twelve Month Period
 302.670 Approval of Director of Central Management Services
 302.680 Notice to Employee
 302.690 Employee Obligations

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302.700 Cause for Discharge
 302.705 Pre-Termination Hearing
 302.710 Suspension Pending Decision on Discharge
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 302.780 Discharge of Probationary Employees
 302.781 Reinstatement from Suspension or Discharge
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SUBPART L: TERM APPOINTMENTS

Section
 302.800 Definition of Terms
 302.810 Positions Subject to Term Appointments
 302.820 Appointment
 302.821 Effect of Loss of Federal Funding on Employees Excluded from Term Appointment
 302.822 Appointees Under Term Appointments
 302.823 No Promotion to Positions Covered by Term Appointments (Repealed)
 302.824 No Reallocation to Term Positions
 302.825 Reemployment Rights to Term Appointment
 302.830 Expiration of Term Appointment
 302.840 Renewal Procedures
 302.841 Renewal Procedures for Incumbents on the Effective Date of Section 8b18 of the Personnel Code (Repealed)
 302.842 Effective Date of Reappointment or Termination (Repealed)
 302.846 Change in Position Factors Affecting Term Appointment Exclusion
 302.850 Reconsideration Request
 302.860 Renewal Procedure for Incumbents Subject to Public Act 83-1369
 302.863 Renewal of Certified or Probationary Incumbents in Exempted Positions

AUTHORITY: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b101 et seq.)

SOURCE: Filed May 29, 1975; amended at 2 Ill. Reg. 33, p. 24, effective September 1, 1978; amended at 3 Ill. Reg. 1, p. 63, effective January 1, 1979; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980, for a maximum of 150 days; emergency amendment at 4 Ill. Reg. 1, p. 76, effective January 1, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 67, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; amended at 7 Ill. Reg. 654, effective January 5, 1983; codified at 7 Ill. Reg. 13198; amended at 8 Ill. Reg. 7788, effective May 23, 1984; emergency amendment at 9 Ill. Reg. 241, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 7907, effective May 15, 1985; amended at 10 Ill. Reg. 13940, effective September 1, 1986; amended

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at 12 Ill. Reg. 5634, effective March 15, 1988; emergency amendments at 12 Ill. Reg. 16214, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 3722, effective March 13, 1989; amended at 13 Ill. Reg. 10820, effective June 23, 1989; amended at 13 Ill. Reg. 12970, effective August 1, 1989; amended at 15 Ill. Reg. 17974, effective November 27, 1991; amended at 16 Ill. Reg. 8375, effective May 21, 1992; emergency amendment at 16 Ill. Reg. 11645, effective July 6, 1992, for a maximum of 150 days.

Section 302.150 Appointment and Status

EMERGENCY

The following types of appointment may be made by the Director:

- a) Exempt: For persons in positions not subject to Jurisdiction B. If an exempt employee's position becomes subject to Jurisdiction B by reason of extension of Jurisdiction B, pursuant to Section 4b of the Personnel Code, such employee shall establish eligibility for such position by passing satisfactorily a qualifying examination prescribed by the Director within 6 months after the extension of Jurisdiction B to such position. In all other cases, if an exempt employee's position becomes subject to Jurisdiction B, such employee shall establish eligibility for such position within 6 months by successfully competing in the open competitive examination and receiving a probationary appointment according to applicable rules.
- b) Emergency: For persons selected by agencies to meet emergency situations. Such appointments shall not exceed 60 days, shall not be renewed and may be made without regard to an eligible list. Notices of selections and terminations shall be reported immediately to the Director.
- c) Temporary: For persons in positions to perform temporary or seasonal work. No position shall be filled by temporary appointment for more than 6 months out of any 12-month period.
- d) Provisional: For persons in positions for which there are fewer than 3 available eligibles on the open competitive eligible list. No positions shall be filled by provisional appointment for more than 6 months out of any 12-month period. If a provisional employee's position is allocated to a class for which there are available eligibles, eligibility for such position shall be established within 90 days through successfully competing in the open competitive examination and receiving a probationary appointment according to the applicable rules herein.
- e) Probationary: For persons appointed from an eligible list, for persons receiving a promotion and for persons being reinstated. If a

probationary employee's position is declared exempt from Jurisdiction B, the balance of the probationary period shall be served after which certified status shall be attained.

- f) Certified: For persons having successfully completed the required probationary period. If a certified employee's position is declared exempt from Jurisdiction B, certified status shall be retained in that position.
- g) Trainee: For persons in positions pursuant to established trainee and apprenticeship programs.
- h) Term: For persons appointed for a four year term from eligible lists or pursuant to Section 4d(5) of the Personnel Code. At the expiration of four years, the appointment automatically terminates unless renewed by the Director or Chairman of the employing department, commission or board. During the term of appointment, these persons shall be subject to Jurisdictions A, B, and C of the Personnel Code.
- i) Intermittent: For persons appointed pursuant to subsections (e) or (f) above whose work schedule varies from the regular work schedule of the operating agency as provided in an intermittent program established pursuant to Section 302.325.

(Source: Emergency amendment at 16 Ill. Reg. 11645, effective July 6, 1992 for a maximum of 150 days)

Section 302.325 Intermittent Status EMERGENCY

Provisions applying to employees in intermittent status shall be contained in an intermittent program established in a form and manner approved by the Director.

(Source: Emergency rule added at 16 Ill. Reg. 11645, effective July 6, 1992 for a maximum of 150 days)

- 1) Heading of the Part: Aid to Families with Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Number: Emergency Action: 112.138 Repeal
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Senate Bill 1783.
- 5) Effective Date of Amendments: July 1, 1992
- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: July 1, 1992
- 8) Reason for Emergency: This rulemaking is necessary to discontinue transitional payments under the Aid to Families with Dependent Children program effective July 1, 1992. Transitional payments are being eliminated due to budgetary constraints. Senate Bill 1783 specifically allows the Department to use emergency rulemaking to implement these changes.
- 9) Complete Description of the Subjects and Issues Involved: These emergency amendments eliminate Transitional Payments under the Aid to Families with Dependent Children program. These payments supplement grants when the grant amount for the month has been determined by retrospective budgeting and the source of income budgeted has since ceased or been substantially reduced. These supplemental payments are not federally matched nor are they federally mandated. The elimination of Transitional Payments is expected to reduce Department expenditures in Fiscal Year 1993 by approximately \$3.9 million.

10) Are there any Proposed Amendments pending to this Part? Yes

Section	Proposed Action	Illinois Register Citation
112.70	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.71	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.72	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.74	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.78	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.79	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.82	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.110	Amendment	November 15, 1991 (16 Ill. Reg. 16596)

11654 92 ILLINOIS REGISTER DEPARTMENT OF PUBLIC AID NOTICE OF EMERGENCY AMENDMENTS TITLE 89: SOCIAL SERVICES CHAPTER I: DEPARTMENT OF PUBLIC AID SUBCHAPTER b: ASSISTANCE PROGRAMS PART 112 AID TO FAMILIES WITH DEPENDENT CHILDREN SUBPART A: GENERAL PROVISIONS SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY SUBPART C: PROJECT CHANCE

Section 112.400 Proposed Action Illinois Register Citation Amendment November 15, 1991 (16 Ill. Reg. 16596)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Amendments shall be directed to:

Name: Judy Umunna
Bureau of Rules and Regulations
Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762
Telephone: 217/524-3215

The full text of the Emergency Amendments begins on the next page:

Section 112.1 Description of the Assistance Program
112.5 Incorporation By Reference
Section 112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Death of a Parent
112.61 Lack of Parental Support or Care
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent

Section 112.70 Participation Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Initial Assessment Process/Development of an Employability Plan
112.76 Project Chance Orientation
112.77 Conciliation and Fair Hearings
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements

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112.81 Responsible Relative Eligibility For Project Chance
112.82 Project Chance Supportive Services
112.83 Young Parents Program
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

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112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section
112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section
112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Applicants Employed On Date of Application And/Or Date Of Decision

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112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees
112.136 Budgeting Earned Income For Non-Contractual School Employees
112.137 Termination of Employment
112.138 Transitional Payments (Repealed)

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112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income From Work/Study/Training Program
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
112.147 Income From Rental Property
112.148 Payments from the Illinois Department of Children and Family Services
112.149 Earned Income In-Kind
112.150 Assets
112.151 Exempt Assets
112.152 Asset Disregards
112.153 Deferral of Consideration of Assets
112.154 Property Transfers
112.155 AFDC Income Limit

SUBPART H: PAYMENT AMOUNTS

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112.250 Grant Levels
112.251 Payment Levels in AFDC
112.252 Payment Levels in AFDC Group I Counties
112.253 Payment Levels in AFDC Group II Counties
112.254 Payment Levels in AFDC Group III Counties

SUBPART I: OTHER PROVISIONS

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112.300 Persons Who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Monthly Reporting
112.303 Retrospective Budgeting
112.304 Budgeting Schedule
112.305 Strikers
112.306 Foster Care Program
112.307 Responsibility of Sponsors of Aliens
112.308 Special Needs Authorizations
112.309 Institutional Status
112.315 Young Parent Program (Renumbered)

112.320 Redetermination of Eligibility
112.330 Twelve Month Extension of Medical Assistance Due to Increased Income from Employment
112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

SUBPART J: CHILD CARE

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112.350 Child Care
112.352 Child Care Eligibility
112.354 Qualified Provider
112.356 Notification of Available Services
112.358 Participant Rights and Responsibilities
112.362 Additional Service to Secure or Maintain Child Care Arrangements
112.364 Rates of Payment for Child Care
112.366 Method of Providing Child Care

SUBPART K: TRANSITIONAL CHILD CARE

Section
112.400 Transitional Child Care Eligibility
112.404 Duration of Eligibility for Transitional Child Care
112.406 Loss of Eligibility for Transitional Child Care
112.408 Qualified Child Care Providers
112.410 Notification of Available Services
112.412 Participant Rights and Responsibilities
112.414 Child Care Overpayments and Recoveries
112.416 Fees for Service for Transitional Child Care
112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 4-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 3 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of

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150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979, amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983;

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amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827 effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11

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Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.138 Transitional Payments (Repealed)
EMERGENCY

- a) The Department supplements AFDC assistance to recipients determined eligible for such payments who have had a decrease or loss of earned income and are receiving a reduced AFDC grant and assistance due to-

Section 112.138(a) (continued)

the budgeting of their previous earnings.

b) Eligibility for a transitional payment exists for any payment month in which

- 1) the AFDC grant amount was decreased due to the budgeting of earned income; and
- 2) the gross earnings received in the payment month are less than the gross earnings budgeted for the payment month; and
- 3) the net budgetable earned income (after appropriate disregards (see Section 112.152)) received in the payment month is at least \$10 less than the amount budgeted for the payment month.

e) Eligibility for transitional payments shall be determined monthly based on the monthly reports submitted by the AFDC participant. In addition, an AFDC participant may request a transitional payment, in writing, at any time if the participant's earnings have terminated entirely.

(Source: Emergency repealer at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days)

1) Heading of the Part: General Assistance

2) Code Citation: 89 Ill. Adm. Code 114

3) Section Number: Emergency Action:

- 114.1 Amendment
- 114.2 Amendment
- 114.351 Amendment
- 114.352 Amendment
- 114.353 Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Senate Bill 1783.

5) Effective Date of Amendments: July 1, 1992

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable

7) Date Filed in Agency's Principal Office: July 1, 1992

8) Reason for Emergency: This rulemaking is necessary to discontinue the Transitional Assistance program for employable persons and to continue the reduction in the General Assistance payment levels effective July 1, 1992. This change is being made due to budgetary constraints. Senate Bill 1783 specifically allows the Department to use emergency rulemaking to implement these changes.

9) Complete Description of the Subjects and Issues Involved: These emergency amendments eliminate Transitional Assistance payments for employable adults and continues the reduction in General Assistance payment levels which was implemented on February 1, 1992. Effective July 1, 1992, Transitional Assistance payments will continue to be provided to individual adults determined to be not employable. The elimination of employable adults from the Transitional Assistance Program is expected to reduce Department expenditures in Fiscal Year 1993 by approximately \$76 million. Continuing the reduction in General Assistance payment levels is expected to reduce Department expenditures in Fiscal Year 1993 by \$5.9 million.

10) Are there any Proposed Amendments pending to this Part? Yes

Section	Proposed Action	Illinois Register Citation
114.128	Amendment	March 20, 1992 (16 Ill. Reg. 4216)
114.135	New Section	March 20, 1992 (16 Ill. Reg. 4216)

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- 11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.
- 12) Information and questions regarding these Amendments shall be directed to:

Name: Judy Umunna
Bureau of Rules and Regulations

Address: Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone: 217/524-3215

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 1: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section
114.1
EMERGENCY
114.2
EMERGENCY
114.5

Description of the Assistance Program
Determination of Not Employable
Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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114.90
114.100

Client Cooperation
Citizenship
Residence
Age
Relationship
Living Arrangement
Social Security Numbers
Work Registration Requirements (Outside City of Chicago only)
Individuals Exempt From Work Registration Requirements (Outside City of Chicago only)
City of Chicago only)
Job Service Registration (Outside City of Chicago only)
Failure to Maintain Current Job Service Registration (Outside City of Chicago only)
Responsibility to Seek Employment (Outside City of Chicago only)
Initial Employment Expenses (Outside City of Chicago only)
Downstate General Assistance Work and Training Programs
Downstate General Assistance - Food Stamps Employment and Training Pilot Project
Project Chance Participation/Cooperation Requirements (Renumbered)
General Assistance Jobs Program (Repealed)

SUBPART C: PROJECT ADVANCE

Section
114.108
114.109

Project Advance
Project Advance Participation Requirements of Adjudicated Fathers

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SUBPART D: PROJECT CHANCE

Section
114.110 Project Advance Cooperation Requirements of Adjudicated Fathers
114.111 Project Advance Sanctions
114.113 Project Advance Good Cause for Failure to Comply
114.115 Individuals Exempt From Project Advance
114.117 Project Advance Supportive Services
114.120 Employment and Training for Transitional Assistance Programs Administered by the Illinois Department of Public Aid
114.121 Persons Required to Participate in Project Chance
114.122 Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act (Repealed)
114.123 Persons in Need of Work Rehabilitative Services (WRS) to Become Employable (Repealed)
114.124 Employment and Training Participation/Cooperation Requirements
114.125 Employment and Training Program Orientation
114.126 Employment and Training Program Full Assessment Process/Development of an Employment Plan
114.127 Employment and Training Program Components
114.128 Employment and Training Sanctions
EMERGENCY
114.129 Good Cause For Failure to Cooperate With Work and Training Participation Requirements
114.130 Employment and Training Supportive Services
114.135 Conciliation and Fair Hearings
EMERGENCY
114.140 Employment Child Care (Repealed)

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section
114.200 Unearned Income
114.201 Budgeting Unearned Income
114.202 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.203 Initial Receipt of Unearned Income
114.204 Termination of Unearned Income
114.210 Exempt Unearned Income
114.220 Education Benefits
114.221 Unearned Income In-Kind
114.222 Earmarked Income
114.223 Lump Sum Payments
114.224 Protected Income
114.225 Earned Income
114.226 Budgeting Earned Income

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114.227 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.228 Initial Employment
114.229 Termination of Employment
114.230 Exempt Earned Income
114.235 Recognized Employment Expenses
114.240 Income From Work/Study/Training Program (Repealed)
114.241 Earned Income From Self-Employment
114.242 Earned Income From Roomer and Boarder
114.243 Earned Income From Rental Property
114.244 Earned Income In-Kind
114.245 Payments from the Illinois Department of Children and Family Services
114.246 Budgeting Earned Income For Contractual Employees
114.247 Budgeting Earned Income For Non-contractual School Employees
114.250 Assets
114.251 Exempt Assets
114.252 Asset Disregards
114.260 Deferral of Consideration of Assets (Repealed)
114.270 Property Transfers
114.280 Supplemental Payments

SUBPART F: PAYMENT AMOUNTS

Section
114.350 Payment Levels for General Assistance
114.351 Payment Levels in Group I Counties
EMERGENCY
114.352 Payment Levels in Group II Counties
EMERGENCY
114.353 Payment Levels in Group III Counties
EMERGENCY

SUBPART G: OTHER PROVISIONS

Section
114.400 Persons Who May Be Included In the Assistance Unit
114.401 Eligibility of Strikers
114.402 Special Needs Authorizations
114.403 Institutional Status
114.404 Retrospective Budgeting
114.405 Budgeting Schedule
114.420 Redetermination of Eligibility
114.430 Twelve Month Extension of Medical Assistance Due to Increased Income From Employment

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SUBPART H: CHILD CARE

Section	Child Care
114.450	Child Care Eligibility
114.452	Qualified Provider
114.454	Notification of Available Services
114.456	Participant Rights and Responsibilities
114.458	Additional Service to Secure or Maintain Child Care Arrangements
114.462	Rates of Payment for Child Care
114.464	Method of Providing Child Care
114.466	

SUBPART I: TRANSITIONAL CHILD CARE

Section	Transitional Child Care
114.500	Duration of Eligibility for Transitional Child Care
114.504	Loss of Eligibility for Transitional Child Care
114.506	Qualified Provider
114.508	Notification of Available Services
114.510	Participant Rights and Responsibilities
114.512	Child Care Overpayments and Recoveries
114.514	Fees for Service for Transitional Child Care
114.516	Rates of Payment for Transitional Child Care
114.518	

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 19891991, ch. 23, pars. 6-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective

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June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5333, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a

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maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987; for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989 for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at 14 Ill. Reg. 6360, effective April 16, 1990; amended at 14 Ill. Reg. 10929, effective June 20, 1990; amended at 14 Ill. Reg. 13215, effective August 6, 1990; amended at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710, effective April 10, 1991; amended at 15 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3512, effective February

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20, 1992; emergency amendment at 16 Ill. Reg. 4540, effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART A: GENERAL PROVISIONS

Section 114.1 Description of the Assistance Program
EMERGENCY

- a) General Assistance--financial and medical assistance available to eligible needy families or individuals who are ineligible to receive assistance through a categorical or Federal Assistance Program. See 89 Ill. Adm. Code 140.5 for covered medical services.¹
- b) a) General Assistance is provided to eligible families and to pregnant women, as defined in Section 114.400, through the Children and Family Assistance program. Assistance is provided without regard to any limitation on the number of months an eligible family or pregnant woman may receive such benefits.
- c) b) For Fiscal Year 1992 (July 1, 1991, through June 30, 1992) General Assistance is provided to individual adults, as defined in Section 114.400, through the Transitional Assistance program, with the following limitations:¹
 - 1) Individuals For-the-fiscal-year-beginning-July-1,-1991, individuals receiving Transitional Assistance may only receive such assistance for nine calendar months. Receipt of General Assistance or Transitional Assistance for any month in Fiscal Year 1992, (July 1991 through June 1992), shall count towards this limitation.
 - 2) Beginning-July-1,-1992,-eligible-individuals-may-only-receive Transitional-Assistance-for-any-sin-months-out-of-any-12 consecutive-calendar-month-period.
 - 2) 3) Transitional assistance shall not be continued pending a final decision in an appeal past the nine month ex-sin-month limitation in subsection (c)(1) subsections-(b)(1) and-(2) above under any circumstances, unless the client has appealed a determination of employability on a timely basis and the hearing is pending on the date the nine month ex-sin-month limitation would become effective for that client.

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NOTICE OF EMERGENCY AMENDMENTS

Section 114.1(c) (continued)

- 3) 4) Notwithstanding subsection (c)(1) subsections (b)(1) and (3) above, eligible individuals may qualify for Transitional Assistance without regard to any limitations on the number of months of eligibility during any time period if the individual is determined to be not employable pursuant to Section 114.2.
- d) Effective July 1, 1992, General Assistance is provided to individual adults as defined in Section 114.400 through the Transitional Assistance program only for those individuals determined to be not employable pursuant to Section 114.2 and only for those months that the client is considered not employable pursuant to Section 114.2.

(Source: Emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days)

Section 114.2 Determination of Not Employable
EMERGENCY

- a) Unless determined not employable pursuant to this Section, a client who receives Transitional Assistance shall be considered employable.
- b) A client shall be determined not employable if determined to meet one of the following criteria:
- 1) Age 55 or over and has not had gross earnings totaling \$2,000 or more in the past year and also has not earned at least \$200 a month in seven of the last twelve months;
 - 2) Serious medical, physical or mental problem which prevents the client from working, including alcohol or other substance abuse;
 - 3) Needed at home to care for another person, as determined by a medical provider; or
 - 4) Does not have a high school diploma, or GED; does not have gross earnings totaling \$2,000 or more in the past year; has not earned at least \$200 a month in three of the last twenty-four months; and who cannot read English at the 5.9 grade level. Under this last category of not employable, if a client has not attained the required reading level after receiving Transitional Assistance for twelve months, the client will then be deemed employable, unless not employable under a different criteria.
- c) If a client claims to be unable to work due to a serious medical,

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 114.2(c) (continued)

Physical or mental problem, a determination of eligibility for Interim Assistance shall first be made. (See 89 Ill. Adm. Code 113.400 et seq.). The determination of more likely than not eligible for SSI made under the Interim Assistance program shall constitute the determination of whether a client is not employable. The Department has combined the determination of "more likely than not employable for SSI" and the determination of whether a client is "not employable" on the basis of a serious medical, physical or mental problem. The single standard has been developed based on the standard of "chronically needy" found in Section 6-11(c)(2) of the Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 6-11(c)(2)). (See 89 Ill. Adm. Code 113.410 for this standard.)

- d) The client must cooperate in the eligibility process for Interim Assistance, including but not limited to applying for SSI and cooperating with any requirements of the SSI Advocacy program, in order to be eligible either for Interim Assistance or Transitional Assistance.
- e) If the client is determined to be more likely than not eligible for SSI, the client shall be entitled to Interim Assistance. If the client is determined to be not more likely than not eligible for SSI, this shall constitute a determination that the client is employable.
- f) An Interim Assistance recipient who is later determined not disabled by the Social Security Administration, and therefore ineligible for SSI, loses eligibility for Interim Assistance. However, that client shall continue to be considered not employable for purposes of Transitional Assistance until determined otherwise.

(Source: Emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days)

SUBPART F: PAYMENT AMOUNTS

Section 114.351 Payment Levels in Group I Counties
EMERGENCY

- a) The following payment levels are established for the GA Program in Group I Counties.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 114.351 (continued)

b) The counties included in Group I are:

Boone	DuPage	Lake	Winnebago
Champaign	Kane	McHenry	Woodford
Cook	Kankakee	Ogle	
DeKalb	Kendall	Whiteside	

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)		CHILD(REN) ONLY	
	CURRENT	GRANDFATHERED	CURRENT	GRANDFATHERED
1	165	154	102	
2	268		201	
3	367		249	
4	414		319	
5	485		379	
6	545		407	417
7	574		438	479
8	604		469	511
9	635	649	503	571
10	669	700	538	
11	705	752	576	
12	741	814	614	
13	781			
14	822	926		
15	866			
16	911			
17	959			
18	1010			

c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$50.00 or \$38.00 respectively for each person above 18 or 12.

d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$10 of the GA Payment Level, in the City of Chicago and, for Caretaker Relatives and Children, Family size of 1, and the first \$18 of the GA Payment Level for Caretaker Relatives and Children of other family sizes has been designated as being for the purpose of energy assistance.

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 114.351 (continued)

e) For assistance units which contain both caretaker relatives and children and which contain nine (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which contain six (6) or more persons, two payment levels are established - Current and Grandfathered.

1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days)

Section 114.352 Payment Levels in Group II Counties
EMERGENCY

a) The following payment levels are established for the GA Program in Group II Counties.

b) The counties included in Group II are:

Adams	Henry	Madison	Sangamon
Bureau	Iroquois	McDonough	St. Clair
Carroll	Jackson	McLean	Stephenson
Clinton	JoDavies	Mercer	Tazewell
Coles	Knox	Monroe	Vermilion
DeWitt	LaSalle	Morgan	Wabash
Douglas	Lee	Moultrie	Warren
Effingham	Livingston	Peoria	Will

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 114.352(b) (continued)

Ford	Logan	Piatt
Fulton	Macon	Putnam
Grundy	Macoupin	Rock Island

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)	CURRENT	GRANDFATHERED	CHILD(REN) ONLY	CURRENT	GRANDFATHERED
1	160	149			97	
2	259				194	
3	355				242	
4	403				311	
5	471				369	
6	529				397	403
7	557				427	463
8	588				459	
9	619		628		491	
10	651		681		525	
11	685		735		561	
12	721		794		599	
13	760		852			
14	799					
15	841		964			
16	886					
17	934					
18	982					

c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$40.00 or \$38.00 respectively for each person above 18 or 12.

d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$5 of the GA Payment Level for Caretaker Relative and Children, Family size of 1, and the first \$18 of the GA Payment Level for Caretaker Relatives and Children of other family sizes has been designated as being for the purpose of energy assistance.

e) For assistance units which contain both caretaker relatives and children and which contain nine (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which contain six (6) or more

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section 114.352(e) (continued)

persons, two payment levels are established - Current and Grandfathered.

1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days)

Section 114.353 Payment Levels in Group III Counties
EMERGENCY

a) The following payment level are established for the GA Program in Group III Counties.

b) The counties included in Group III are:

Alexander	Fayette	Lawrence	Richland
Bond	Franklin	Marion	Saline
Brown	Gallatin	Marshall	Schuyler
Calhoun	Greene	Mason	Scott
Cass	Hamilton	Massac	Shelby
Christian	Hancock	Menard	Stark
Clark	Hardin	Montgomery	Union
Clay	Henderson	Perry	Washington
Crawford	Jasper	Pike	Wayne
Cumberland	Jefferson	Pope	White
Edgar	Jersey	Pulaski	Williamson
Edwards	Johnson	Randolph	

NOTICE OF EMERGENCY AMENDMENTS

Section 114.353(b) (continued)

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)		CHILD(REN) ONLY	
	CURRENT	GRANDFATHERED	CURRENT	GRANDFATHERED
1	154	144	94	
2	247		188	
3	339		237	
4	389		302	
5	453		359	
6	511		387	
7	538		414	
8	566		445	
9	597		477	
10	628		510	
11	662	684	545	
12	696		581	
13	733			
14	771			
15	812			
16	855			
17	900			
18	948			

- c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$48.00 or \$36.00 respectively for each person above 18 or 12.
- d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$18 of the GA Payment Level for Caretaker Relatives and Children of all family sizes except the family size of 1 has been designated as being for the purpose of energy assistance.
- e) For an assistance unit which contains both caretaker relative(s) and children of eleven (11) persons, two payment levels are established - Current and Grandfathered.
- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses

NOTICE OF EMERGENCY AMENDMENTS

Section 114.353(e)(1) (continued)

- a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.
- 2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.
- (Source: Emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Application Process
- 2) Code Citation: 89 Ill. Adm. Code 683
- 3) Section Numbers: 683.100
Emergency Action: Repealed
- 4) Statutory Authority: Implementing and authorized by Section 3(a) of the Disabled Persons Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a)).
- 5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1992
- 6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
- 7) Date Filed in Agency's Principal Office: July 1, 1992
- 8) Reason for Emergency: Current funding levels do not allow for the continued safe and adequate services for clients of the program if intake is opened. Failure to continue to keep intake closed would jeopardize the health, safety and lives of all clients served through the Home Services Program.
- 9) A Complete Description of the Subjects and Issues Involved: Halting the availability of applications and intake for the Home Services Program.
- 10) Are there any proposed amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

- 11) Statement of Statewide Policy Objectives: N/A

- 12) Information and answers to questions regarding this rule shall be directed to:

Ms. Susan Warner, Acting Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

The full text of Emergency Amendment(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER d: HOME SERVICES PROGRAM

PART 683
 APPLICATION PROCESS

Section
 683.100 Availability of Applications (Repealed)
 EMERGENCY

683.200 Completed Application
 683.300 Making Application
 683.400 Date of Application
 683.500 Applicant
 683.600 Filing of Application
 683.700 Signing of Application
 683.800 Assistance by Local Office Staff

AUTHORITY: Implementing and authorized by section 3(a) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a)).

SOURCE: Adopted and codified at 7 Ill. Reg. 31, p. 8848, effective July 18, 1983; amended at 8 Ill. Reg. 15618, effective August 17, 1984; emergency amendment at 16 Ill. Reg. 2688, effective February 3, 1992, for a maximum of 150 days; emergency amendments at 16 Ill. Reg. 11679, effective July 1, 1992, for a maximum of 150 days.

Section 683.100 Availability of Applications (Repealed)
 EMERGENCY

An application form shall be mailed or otherwise provided to any individual requesting application to the Home Services Program (HSP) within one working day of the request for application.

(Source: Repealed at 16 Ill. Reg. 11679, effective July 1, 1992, for a maximum of 150 days)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

1) Heading of the Part: Fiscal Year 1993 Emergency Budgetary Changes

2) Code Citation: 89 Ill. Adm. Code 673

3) Section Numbers: Emergency Action:
 673.10 New Section
 673.20 New Section
 673.30 New Section
 673.40 New Section
 673.50 New Section

4) Statutory Authority: Implementing and authorized by Section 3(a) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a)).

5) Effective Date of Rule(s) (Amendments, Repealer): July 1, 1992

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date Filed in Agency's Principal Office: July 1, 1992

8) Reason for Emergency: Current funding levels do not allow for the continued safe and adequate services for clients of the program if intake is opened. Failure to continue to keep intake closed would jeopardize the health, safety and lives of all clients served through the Home Services Program.

9) A Complete Description of the Subjects and Issues Involved: Halting the availability of applications and intake for the Home Services Program.

10) Are there any proposed amendments pending on this Part: No

Section Numbers Proposed Action Illinois Register Citation

11) Statement of Statewide Policy Objectives: N/A

12) Information and answers to questions regarding this rule shall be directed to:

Ms. Susan Warner, Acting Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

The full text of Adopted Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 673

Fiscal Year 1993 Emergency Budgetary Changes

Section	General Provisions
673.10	EMERGENCY
673.20	Referral
673.30	Application
673.40	Prescreening
673.50	Appeals
EMERGENCY	

AUTHORITY: Implementing and authorized by Section 3(a) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(a)).

SOURCE: Emergency Rules Adopted at 16 Ill. Reg. 11682, effective July 1, 1992, for a maximum of 150 days.

Section 673.10	General Provisions
EMERGENCY	

- a) In order to provide fiscal safeguards to ensure that the Department of Rehabilitation Services (DORS) does not incur obligations in excess of appropriated funds; DORS has adopted this Part which makes substantive changes to DORS' Home Services Program (HSP), (Ill. Rev. Stat. 1991, ch. 23, par. 3434(g)).
- b) All provisions of this Part shall be effective as of the filing date and shall remain in effect until November 27, 1992.
- c) If, subsequent to the adoption of this Part, the General Assembly enacts legislation which appropriates funding at levels which negates the necessity of this Part, DORS shall repeal any or all of this Part and restore intake services, as funding shall permit.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- d) No provisions of this Part shall affect individuals currently receiving services through HSP, or individuals who have completed the application process prior to the effective date of this Part, unless appropriated funds are insufficient to meet current client services.

Section 673.20 Referral
EMERGENCY

- a) This section, for the effective period of this Part, shall be substituted for rules found at 89 Ill. Adm. Code 678.300.
- b) DORS shall gather referral information on all pre-applicants/referrals seeking to apply for HSP. This information shall include: name; address; age; sex; referral source; and alleged disability. The information shall be reviewed and if appropriate for DORS services, this information shall be recorded in a standardized and confidential manner for the purpose of establishing a list of individuals interested in applying for HSP so that, at a time funding levels for HSP allow, adequate information will be on hand to permit DORS to contact these individuals to make application to HSP, if they choose. If the referral information indicates that the individual is not a candidate for services through HSP, but possibly for another agency's program, appropriate referral shall be made.

Section 673.30 Application
EMERGENCY

- a) This section, for the effective period of this Part, shall be substituted for rules found at 89 Ill. Adm. Code 678.350, 89 Ill. Adm. Code Part 683 and 89 Ill. Adm. Code Part 693.
- b) DORS shall not make applications available to individuals wishing to apply for services through HSP. Only that information necessary to constitute a bonafide referral shall be gathered, as previously stated in Section 674.20(b) of this Part.

Section 673.40 Prescreening
EMERGENCY

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- a) This section, for the effective period of this Part, shall be substituted for rules found at 89 Ill. Adm. Code Part 690 which offer HSP services as an alternative to nursing home care (NHC).
- b) DORS shall continue to prescreen individuals for NHC as required in 89 Ill. Adm. Code 690.100. However, individuals determined as eligible for nursing home placement or HSP services, as determined by the DETERMINATION OF NEED (see 89 Ill. Adm. Code 685.500), shall not be provided HSP services as an alternative to NHC.

Section 673.50 Appeals
EMERGENCY

For the effective period of this Part, the term "client" shall not be considered to include applicants/preapplicants and thus applicants/preapplicants shall not have the right to appeal under 89 Ill. Adm. Code Part 510 any action or inaction on the part of DORS related to the refusal by DORS to take an application.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of Part: Meat and Poultry Inspection Act

2) Code Citation: 8 Ill. Adm. Code 125

3) Section Nos.: Peremptory Action:

125.260

Amended

125.380

Amended

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316); the Federal Meat Inspection Act (21 U.S.C.A. 661); the Federal Poultry Inspection Act (21 U.S.C.A. 454); 57 FR 24542 (1992).

5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316).

6) Effective Date: July 10, 1992

7) A Complete Description of the Subjects and Issues Involved:

In order to maintain an "equal to" status with the federal meat and poultry inspection programs as required by the Federal Meat Inspection Act, the Federal Poultry Inspection Act, and in compliance with Section 16 of The Meat and Poultry Inspection Act, amendments to the federal meat and poultry inspection rules are being adopted.

The Food Safety and Inspection Service is amending the Federal meat and poultry products inspections regulations by eliminating the current requirements for jar closures. Under the present regulations, vacuum-packed containers that are sealed with quick-twist, screw-on, or snap-on lids must either not have an annular space between the lid and the container, or the annular space must be sealed. The Agency is eliminating this requirement because it increases production cost and there is no evidence that it provides any public health and safety benefits. Specifically this pertains to Sections 317.23 of the Federal meat inspection regulations (9 CFR 317.23) and Section 381.143 of the poultry products inspection regulations (9 CFR 381.143). The effective date is July 10, 1992.

According to the Food Safety and Inspection Service, this amendment is to remove a cost that currently restricts competition by both large and small businesses. Any

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

establishment making products could expand production lines to include meat and poultry products without having to invest in additional jar closure equipment.

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed in Agency's Principal Office: June 15, 1992

10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.

11) Are there any proposed amendments pending to this Part? No.

12) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.

13) Information and questions regarding this adopted amendment shall be directed to:

Name: Barbara K. McGuire

Address: Illinois Department of Agriculture

State Fairgrounds, Springfield,

Illinois 62794-9281

Telephone: 217/782-2172

The full text of the Peremptory amendment begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125
MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section
125.10 Definitions
125.20 Incorporation by Reference of Federal Rules
125.30 Application for License; Approval
125.40 Official Number
125.50 Inspections; Suspension or Revocation of License
125.60 Administrative Hearings; Appeals
125.70 Assignment and Authority of Program Employees
125.80 Schedule of Operations; Overtime
125.90 Official Marks of Inspection, Devices and Certificates
125.100 Records and Reports
125.110 Exemptions
125.120 Disposal of Dead Animals and Poultry
125.130 Reportable Animal and Poultry Diseases
125.140 Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section
125.150 Livestock and Meat Products Entering Official Establishments
125.160 Equine and Equine Products
125.170 Facilities for Inspection
125.180 Sanitation
125.190 Ante-Mortem Inspection
125.200 Post-Mortem Inspection
125.210 Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220 Humane Slaughter of Animals
125.230 Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240 Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250 Marking Products and Their Containers
125.260 Labeling, Marking and Containers
125.270 Entry into Official Establishment; Reinspection and Preparation of Product
125.280 Meat Definitions and Standards of Identity or Composition

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.290 Transportation
125.300 Special Services Relating to Meat and Other Products
125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section
125.310 Application of Inspection
125.320 Facilities for Inspection
125.330 Sanitation
125.340 Operating Procedures
125.350 Ante-Mortem Inspection
125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370 Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380 Labeling and Containers
125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400 Definitions and Standards of Identity or Composition
125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; Peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill.

DEPARTMENT OF AGRICULTURE

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NOTICE OF PEREMPTORY AMENDMENTS

NOTICE OF PEREMPTORY AMENDMENTS

Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16084, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992.

SUBPART B: MEAT INSPECTION

Section 125.260 Labeling, Marking and Containers

- a) The Department incorporates by reference 9 CFR 317.1 through 317.2(j)(10), 317.2(j)(12) through 317.4(d)(1),

317.5 through 317.6, 317.8, 317.10 through 317.14, 317.17 through 317.24 (1990; 55 FR 7289, effective August 28, 1990; 55 FR 34678, effective September 24, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992; 56 FR 41445, effective September 20, 1991; 56 FR 67485, effective March 2, 1992; 57 FR 24542, effective July 10, 1992).

- b) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3) and (k)(3), (4), (5) and (9) of the Act.
- c) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- d) The Department shall approve temporary labeling as stated in 9 CFR 317.4(d)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the labels before the expiration of the temporary approval.
- e) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act (Ill. Rev. Stat. 1991, ch. 147, par. 101 et seq.) and the rules adopted thereto (8 Ill. Adm. Code 600.120).
- f) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of the federal government.
- g) With regard to the incorporated language in 9 CFR 317.6, the extension of time for exhausting existing stocks of labels is not applicable since all labels presently in use are in compliance with the rules of this Part.
- h) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).
- i) Labels to be used for the relabeling of inspected and

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passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.

j) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 317.13 so that the inspector can notify the inspector at the destination point.

k) Labeling of custom slaughter and/or custom processed meat and/or meat products and the containers containing custom slaughtered and/or custom processed meat and/or meat products shall be as set forth in Section 5 of the Act.

l) References in the incorporated language to 9 CFR 312 shall be interpreted to mean in accordance with Section 125.90.

(Source: Peremptory amendment at 16 Ill. Reg. 11687 effective July 10, 1992)

SUBPART C: POULTRY INSPECTION

Section 125.380 Labeling and Containers

a) The Department incorporates by reference 381.115 through 381.127, and 381.129 through 381.132(b)(1), 381.133 through 381.144(d) (1990; 55 FR 5976, effective March 23, 1990; 55 FR 7289, effective August 28, 1990; 55 FR 49826 and 50081, effective May 29, 1991; 56 FR 1359, effective September 3, 1991; 56 FR 22638, effective January 2, 1992; 56 FR 67485, effective March 2, 1992; 57 FR 24542, effective July 10, 1992).

b) Each shipping container and each immediate container containing inspected and passed poultry and/or poultry products shall be identified in accordance with the labeling provisions of this Section.

c) Immediate containers of poultry products packed in, bearing or containing any chemical additive shall bear a label naming the additive and the purpose of its use.

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d) Labels for consumer packages shall be approved if the label is not misbranded in accordance with Section 2.20 of the Act and is in compliance with this Section.

e) The specific statements listed in 9 CFR 381.121 may be added to the label for the shipping container at the option of the licensee.

f) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act and the rules adopted thereto (8 Ill. Adm. Code 600.120).

g) No labeling or containers that have not been approved shall be used until a final decision is rendered at an administrative hearing in accordance with Section 19 of the Act and Section 125.60.

h) The Department shall approve the manufacture of a device or label containing an official mark of inspection provided the device or label is in compliance with Section 125.90.

i) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.

j) The Department shall approve temporary labeling as stated in 9 CFR 381.132(b)(1). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the permanent labels before the expiration of the temporary approval.

k) A copy of each label submitted for approval shall be accompanied by a statement showing the common or usual names, the kinds and percentages of the ingredients comprising the poultry product and a statement indicating the method or preparation of the product with respect to which the label is to be used. Laboratories used for chemical analysis shall be any approved laboratory as defined in 8 Ill. Adm. Code 20.1.

l) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the

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responsibility of the federal government.

- m) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 49 FR 2235, effective July 17, 1984).
 - n) Labels and devices approved for use pursuant to Section 125.90 and this Section shall be disposed of only when such labels or devices have been mutilated or damaged or when the establishment ceases to do business. Such labels and devices shall be given to the inspector for disposition.
 - o) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 381.138 so that the inspector can notify the inspector at the destination point.
 - p) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
 - q) Labeling of custom slaughtered and/or custom processed poultry and/or poultry products and the containers containing custom slaughtered and/or custom processed poultry products shall be as set forth in Section 5 of the Act.
 - r) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3), (4), (5) and (9) of the Act.
- (Source: Peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992)

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STATE OF ILLINOIS CENTER

ROOM 16-503
CHICAGO, ILLINOIS
10:00 A.M.
JULY 21, 1992

NOTICE: It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
509 South Sixth Street
Suite 500
Springfield, Illinois 62701

AGENDA

- I. Approval of June 16, 1992 Minutes
- II. Review of Proposed Agency Rulemaking

Banks and Trust Companies

1. Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 375)
-First Notice Published: 16 Ill Reg 4125 - 3/20/92
-Expiration of Second Notice Period: 7/27/92

Capital Development Board

2. Prequalification and Suspension of Contractors (44 Ill Adm Code 950)
-First Notice Published: 16 Ill Reg 3695 - 3/13/92
-Expiration of Second Notice Period: 7/22/92

Carnival Amusement Safety Board

3. Carnival and Amusement Ride Inspection Law (56 Ill Adm Code 6000)
-First Notice Published: 16 Ill Reg 5399 - 4/10/92
-Expiration of Second Notice Period: 8/10/92

Central Management Services

4. Travel (80 Ill Adm Code 2800)
-First Notice Published: 16 Ill Reg 7079 - 5/8/92
-Expiration of Second Notice Period: 8/20/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Commerce and Community Affairs

5. Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 575)
-First Notice Published: 16 Ill Reg 7083 - 5/8/92
-Expiration of Second Notice Period: 8/20/92

Commerce Commission

6. Guidelines for the Assessment of Penalties (General Order 55 (MC)) (92 Ill Adm Code 1440)
-First Notice Published: 16 Ill Reg 5139 - 4/3/92
-Expiration of Second Notice Period: 7/24/92

Conservation

7. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)
-First Notice Published: 16 Ill Reg 6571 - 4/24/92
-Expiration of Second Notice Period: 7/24/92

8. Duck, Goose and Coot Hunting (17 Ill Adm Code 590)
-First Notice Published: 16 Ill Reg 7189 - 5/8/92
-Expiration of Second Notice Period: 8/10/92

9. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (17 Ill Adm Code 530)
-First Notice Published: 16 Ill Reg 7161 - 5/8/92
-Expiration of Second Notice Period: 8/10/92

Education

10. Special Education (23 Ill Adm Code 226)
-First Notice Published: 16 Ill Reg 3724 - 3/13/92
-Expiration of Second Notice Period: 7/22/92

11. Reading Improvement Program (23 Ill Adm Code 260)
-First Notice Published: 16 Ill Reg 5550 - 4/10/92
-Expiration of Second Notice Period: 8/10/92

Environmental Protection Agency

12. Procedures for Operation of the Potentially Infectious Medical Waste Transporter Fee System (35 Ill Adm Code 880)
-First Notice Published: 16 Ill Reg 6127 - 4/17/92
-Expiration of Second Notice Period: 7/27/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Financial Institutions

13. Financial Institutions Code (38 Ill Adm Code 200)
-First Notice Published: 16 Ill Reg 7250 - 5/8/92
-Expiration of Second Notice Period: 8/6/92

Insurance

14. Internal Security Standard and Fidelity Bonds (50 Ill Adm Code 904)
-First Notice Published: 16 Ill Reg 4159 - 3/20/92
-Expiration of Second Notice Period: 7/24/92

Mines and Minerals

15. The Illinois Oil and Gas Act (62 Ill Adm Code 240)
-First Notice Published: 16 Ill Reg 3282 - 3/6/92
-Expiration of Second Notice Period: 7/30/92

Pollution Control Board

16. Organic Material Emission Standards and Limitations (35 Ill Adm Code 215)
-First Notice Published: 16 Ill Reg 4682 - 3/27/92
-Expiration of Second Notice Period: 7/21/92

17. Organic Material Emission Standards and Limitations for the Metro-East Area (35 Ill Adm Code 219)
-First Notice Published: 16 Ill Reg 4200 - 3/20/92
-Expiration of Second Notice Period: 7/24/92

18. Organic Material Emission Standards and Limitations (35 Ill Adm Code 215)
-First Notice Published: 16 Ill Reg 4170 - 3/20/92
-Expiration of Second Notice Period: 7/24/92

19. Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)
-First Notice Published: 16 Ill Reg 4184 - 3/20/92
-Expiration of Second Notice Period: 7/24/92

20. Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)
-First Notice Published: 16 Ill Reg 4693 - 3/27/92
-Expiration of Second Notice Period: 7/22/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

21. Toxic Air Contaminants (35 Ill Adm Code 232)
-First Notice Published: 15 Ill Reg 14969 - 10/18/91
-Expiration of Second Notice Period: 7/22/92

Professional Regulation

22. The Nursing Home Administrators Licensing and Disciplinary Act (68 Ill Adm Code 1310)
-First Notice Published: 16 Ill Reg 3784 - 3/13/92
-Expiration of Second Notice Period: 8/10/92

Public Aid

23. Practice in Administrative Hearings (89 Ill Adm Code 104)
-First Notice Published: 16 Ill Reg 2752 - 2/21/92
-Expiration of Second Notice Period: 7/22/92

24. Practice in Administrative Hearings (89 Ill Adm Code 104)
-First Notice Published: 16 Ill Reg 4741 - 3/27/92
-Expiration of Second Notice Period: 7/22/92

25. Application Process (89 Ill Adm Code 110)
-First Notice Published: 16 Ill Reg 4704 - 3/27/92
-Expiration of Second Notice Period: 7/22/92

26. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 16 Ill Reg 4708 - 3/27/92
-Expiration of Second Notice Period: 7/24/92

27. General Assistance (89 Ill Adm Code 114)
-First Notice Published: 16 Ill Reg 4216 - 3/20/92
-Expiration of Second Notice Period: 7/27/92

28. Hospital Services (89 Ill Adm Code 148)
-First Notice Published: 16 Ill Reg 1786 - 1/31/92
-Expiration of Second Notice Period: 8/3/92

29. Food Stamps (89 Ill Adm Code 121)
-First Notice Published: 16 Ill Reg 6708 - 4/24/92
-Expiration of Second Notice Period: 8/3/92

30. Administration of Social Service Programs (89 Ill Adm Code 130)
-First Notice Published: 16 Ill Reg 6931 - 5/1/92
-Expiration of Second Notice Period: 8/10/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Public Health

31. Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill Adm Code 205)
-First Notice Published: 16 Ill Reg 3426 - 3/6/92
-Expiration of Second Notice Period: 7/27/92

32. The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790)
-First Notice Published: 16 Ill Reg 4782 - 3/27/92
-Expiration of Second Notice Period: 7/27/92

33. Illinois Health and Hazardous Substances Registry (77 Ill Adm Code 840)
-First Notice Published: 16 Ill Reg 4329 - 3/20/92
-Expiration of Second Notice Period: 7/27/92

Racing Board

34. Inter-Track Wagering Facilities (11 Ill Adm Code 435)
-First Notice Published: 16 Ill Reg 6747
-Expiration of Second Notice Period: 8/7/92

35. Licensing (11 Ill Adm Code 502)
-First Notice Published: 16 Ill Reg 6751 - 4/24/92
-Expiration of Second Notice Period: 8/7/92

36. Twin Trifecta Exchange (11 Ill Adm Code 440)
-First Notice Published: 16 Ill Reg 6755 - 4/24/92
-Expiration of Second Notice Period: 8/7/92

37. Approval of Racing Officials (11 Ill Adm Code 422)
-First Notice Published: 16 Ill Reg 6742 - 4/24/92
-Expiration of Second Notice Period: 8/7/92

Revenue

38. Charitable Games Act (86 Ill Adm Code 435)
-First Notice Published: 16 Ill Reg 6777 - 4/24/92
-Expiration of Second Notice Period: 8/3/92

39. Bingo License and Tax Act (86 Ill Adm Code 430)
-First Notice Published: 16 Ill Reg 6762 - 4/24/92
-Expiration of Second Notice Period: 8/3/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Secretary of State

40. Sale of Information (92 Ill Adm Code 310)
-First Notice Published: 16 Ill Reg 6790 - 4/24/92
-Expiration of Second Notice Period: 8/3/92
41. Literacy Grant Program (23 Ill Adm Code 3040)
-First Notice Published: 16 Ill Reg 7321 - 5/8/92
-Expiration of Second Notice Period: 8/7/92

Department of Transportation

42. Repeal of Ingersoll Airport Zoning Regulations (92 Ill Adm Code 50)
-First Notice Published: 16 Ill Reg 6139 - 4/17/92
-Expiration of Second Notice Period: 7/27/92
43. Ingersoll Municipal Airport Hazard Zoning (92 Ill Adm Code 50)
-First Notice Published: 16 Ill Reg 6153 - 4/17/92
-Expiration of Second Notice Period: 7/27/92

III. Certification of No Objection to Proposed Rulemaking

IV. Review of Emergency and Peremptory Rulemakings

Banks and Trust Companies

44. Electronic Fund Transfers (38 Ill Adm Code 310) (Emergency)
-Notice Published: 16 Ill Reg 10353 - 6/26/92

V. Exempt Rulemakings

45. General Hazardous Waste Management System (35 Ill Adm Code 720)
-Proposed Date: 16 Ill Reg 791 - 1/17/92
-Adopted Date: 6/19/92
46. Identification & Listing of Hazardous Waste (35 Ill Adm Code 721)
-Proposed Date: 16 Ill Reg 820 - 1/17/92
-Adopted Date: 6/19/92
47. Interim Status Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (35 Ill Adm Code 725)
-Proposed Date: 16 Ill Reg 875 - 1/17/92
-Adopted Date: 6/19/92
48. Land Disposal Restrictions (35 Ill Adm Code 728)
-Proposed Date: 16 Ill Reg 916 - 1/17/92
-Adopted Date: 6/19/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

49. RCRA Permit Program (35 Ill Adm Code 703)
-Proposed Date: 16 Ill Reg 1058 - 1/17/92
-Adopted Date: 6/19/92
50. Standards Applicable to Generators of Hazardous Waste (35 Ill Adm Code 722)
-Proposed Date: 16 Ill Reg 1112 - 1/17/92
-Adopted Date: 6/19/92
51. Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (35 Ill Adm Code 724)
-Proposed Date: 16 Ill Reg 1123 - 1/17/92
-Adopted Date: 6/19/92
52. Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous Waste Management Facilities (35 Ill Adm Code 726)
-Proposed Date: 16 Ill Reg 1148 - 1/17/92
-Adopted Date: 6/19/92

VI. Agency Responses to Joint Committee Action

Department on Aging

53. Community Care Program (89 Ill Adm Code 240)
-First Published: 3/13/92
-Objection Date: 4/7/92
-Response: Agreement

Central Management Services

54. Pay Plan (80 Ill Adm Code 310)
-First Published: 3/27/92
-Objection Date: 4/7/92
-Response: Agreement

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 1, 1992 through July 7, 1992, and have been scheduled for review by the Committee at its August 11, 1992 meeting at 10:00 a.m. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Suite 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
8/14/92	Department of Central Management Services, State of Illinois Medical Care Assistance Plan (80 Ill Adm Code 2120)	8/30/91 15 Ill Reg 12074	8/11/92
8/14/92	Department of Central Management Services, State of Illinois Dependent Care Assistance Plan (80 Ill Adm Code 2110)	8/30/91 15 Ill Reg 12064	8/11/92
8/20/92	Department of Central Management Services, Travel (80 Ill Adm Code 2800)	5/8/92 16 Ill Reg 7079	8/11/92
8/20/92	Department of Commerce and Community Affairs, Americans With Disabilities Act Grievance Procedure (4 Ill Adm Code 575)	5/8/92 16 Ill Reg 7083	8/11/92

PROCLAMATION

92-321

CHICAGO CHILDREN ODYSSEY CRUISE DAY

Whereas, Little City Foundation, Make-A-Wish Foundation, Children's Home and Aid, Misericordia, Alandale School, St. Mary of Providence, and other not-for-profit agencies provide services to children in the Chicago area; and

Whereas, the Odyssey is supporting these organizations by donating an entire cruise to children who would otherwise not have the opportunity to take a cruise on a ship;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 6, 1992, as CHICAGO CHILDREN ODYSSEY CRUISE DAY in Illinois and commend the Odyssey on its concern for disadvantaged children.

Issued by the Governor June 24, 1992.

Filed with the Secretary of State July 2, 1992.

92-322

JOHN W. B. SMITH FAMILY REUNION WEEK

Whereas, the John W. B. Smith family originated in Arkansas, with the marriage of Lena Elizabeth Stamps and John William Benjamin Smith. The family then moved to Bogalusa, Louisiana; and Whereas, in 1980, the first Smith family reunion was held in Bogalusa; and

Whereas, the reunion takes place every two years and was held in Bogalusa until 1990, when it was moved to Los Angeles. In 1992, it will be held in Chicago; and

Whereas, 1992 marks the seventh biennial Smith reunion. The event is expected to draw more than 250 participants;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 29-July 5, 1992, as JOHN W. B. SMITH FAMILY REUNION WEEK in Illinois.

Issued by the Governor June 24, 1992.

Filed with the Secretary of State July 2, 1992.

92-323

HOUSEKEEPERS WEEK

Whereas, the 7,000 members of the National Executive Housekeepers Association (NEHA) are instrumental in providing the public with a vital service on a day-to-day basis; and

Whereas, these professionals are responsible for achieving a hygienic and safe environment in public and private institutions such as hotels, schools, government buildings, and health care facilities; and

Whereas, since NEHA was founded in 1930, it has endeavored to provide leadership and professional education for its members;

and Whereas, NEHA's 15th Biennial Assembly will be held in Illinois in June 1993;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 6-12, 1992, as HOUSEKEEPERS WEEK in Illinois in conjunction with the national observance. I urge citizens to recognize the importance of this profession which is too often taken for granted.

Issued by the Governor June 25, 1992.
Filed with the Secretary of State July 2, 1992.

92-324

PHYSICAL THERAPY MONTH

Whereas, the American Physical Therapy Association (APTA) is observing a national physical therapy week titled "Back in Action with Physical Therapy"; and

Whereas, the theme focuses on the active role of physical therapists in helping people regain functional ability and the role of physical therapy in back care; and

Whereas, APTA seeks to achieve better lives for our citizens through the advancement of physical therapy education, practice, and research; and

Whereas, National Physical Therapy Week was created 11 years ago by APTA to increase public awareness of the role of physical therapy in health care; and

Whereas, the Illinois Physical Therapy Association plays an integral role in continued efforts to provide care and assistance, coordinate activities, and disseminate information to promote fitness and good health;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1992 as PHYSICAL THERAPY MONTH in Illinois in recognition of the dedicated efforts physical therapists have put forth to improve the quality of life for our citizens.

Issued by the Governor June 25, 1992.
Filed with the Secretary of State July 2, 1992.

92-325

RESPECT LIFE WEEK

Whereas, the Preamble of the Constitution of the United States was designed for the people of this land to "secure the blessings of liberty to ourselves and our posterity"; and

Whereas, the Declaration of Independence states that we are endowed by our creator with certain inalienable rights, including the right to life; and

Whereas, the life of each person is sacred--the young and the old, the healthy and the sick, the gifted and disadvantaged; and

Whereas, the purpose of Respect Life Week is to remind the American people of the dignity of human life;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 4-11, 1992, as RESPECT LIFE WEEK in Illinois. Issued by the Governor June 25, 1992.

Filed with the Secretary of State July 2, 1992.

92-326

NATIONAL COUNCIL OF AFRICAN WOMEN DAYS

Whereas, the National Council of African Women (NCAW) was organized in 1937, and its membership has grown from 15 to more than 2,000; and

Whereas, NCAW adheres to a number of objectives, including promoting self-help among blacks, encouraging and facilitating development and education, establishing welfare agencies and institutions, providing information and resources, and activating problem-solving for communities facing a crisis; and

Whereas, the council has made a number of significant accomplishments, such as opening clinics and nursery schools, adopting children in need, supplying food to the needy, donating medical supplies to clinics in crisis areas, and building schools for the mentally handicapped; and

Whereas, NCAW's 45th annual conference will be held July 8-11, 1992, in Chicago, with the theme "Connecting--Sharing--Understanding"; and

Whereas, the conference is expected to draw 280 women from South Africa and more than 300 American women;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 8-11, 1992, as NATIONAL COUNCIL OF AFRICAN WOMEN DAYS in Illinois.

Issued by the Governor June 29, 1992.
Filed with the Secretary of State July 2, 1992.

JCAR - Joint Committee on
Administrative Rules

ACTION CODES

A - Adopted Rule
AR - Adopted Repealer
C - Notice of Corrections
CC - Codification Changes
E - Emergency Rule
ER - Emergency Repealer
M - Modification to meet JCAR objections
O - JCAR Statement of Objections
RQ - Request for Correction
EC - Expedited Corrections

P - Proposed Rule

PF - Prohibited Filing Order by JCAR
PR - Peremptory or Court Ordered Rules
PR - Proposed Repealer
R - Refusal to meet JCAR Objection
RC - Statement of Recommendation
S - Suspension ordered by JCAR
W - Withdrawal to meet JCAR
Objections

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501
Abandoned Mined Lands Reclamation (P-2719; A-8345) (E-2897)
(P-11363) (P-14335/91; A-11403) (E-11625)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240
Community Care Program (E-17398/91; S-1744; W-2955; M-2943)
(P-17007/91; PF-1744; M-2930) (E-2630) (E-2901) (E-4069;
RC-6898) (P-4087; C-5083)
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TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
CC = Codification Changes
E = Emergency rule
F = Failure to Remedy or Withdraw
M = Modification
O = JCAR Objection
P = Proposed Rule
W = Withdrawal of

PF = Prohibited filing
PP = Peremptory rule
R = Refusal to Modify
RC = Recommendation
RQ = Request for Correction
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		(PP-11687)	305.70	n	(P-7949)
125.270	am	(P-1921; A-8349)	1400.147	am	(P-8297)
			1400.149	am	(P-8297)

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am	(P-2436; A-8232)	509.140	am	(P-6955)
405.90	am	509.150	am	(P-6955)
409.20	am	509.160	am	(P-6955)
415.60	n	509.170	am	(P-6955)
422.10	am	509.175	r	(P-6955)
422.70	am	509.190	am	(P-6955)
422.90	am	509.195	r	(P-6955)
422.100	am	509.200	am	(P-6955)
422.110	am	509.210	am	(P-6955)
433.120	am	509.220	am	(P-6955)
434.05	n	509.230	am	(P-6955)
434.10	am	509.240	r	(P-6955)
434.20	am	509.250	r	(P-6955)
434.40	am	509.260	r	(P-6955)
435.20	am	509.265	r	(P-6955)
436.05	n	509.270	am	(P-6955)
436.10	r	1305.120	r	(P-2439)
436.20	am	1305.130	r	(P-2439)
436.30	r	1305.140	am	(P-2439)
436.40	r	1314.10	r	(P-2433; A-8229)
436.50	r	1318.180	n	(P-15388/91; A-7489)
436.60	am	1318.190	n	(P-15388/91; A-7489)
436.70	am	1424.100	r	(P-2444; A-11193)
436.80	r	1424.105	r	(P-2444)
436.90	r	1424.170	am	(P-2444)
436.100	am	1424.250	am	(P-1266; A-7493)
436.110	am	1705.10	n	(P-1779)
436.120	r	1705.20	n	(P-1779)
436.130	am	1705.30	n	(P-1779)
436.140	r	1705.40	n	(P-1779)
440.40	am	1705.50	n	(P-1779)
440.50	am	1705.60	n	(P-1779)
440.60	am	1705.70	n	(P-1779)
440.120	am			
440.160	n			
450.10	n			
502.30	am	130.110	am	(P-14209/91; A-6000)
509.10	am	170.10	am	(P-5247; A-11196)
509.20	am	170.11	am	(P-5247; A-11196)
509.30	am	170.12	am	(P-5247; A-11196)
509.40	am	170.13	am	(P-5247; A-11196)
509.50	am	170.14	am	(P-5247; A-11196)
509.60	am	170.17	am	(P-5247; A-11196)
509.70	am	170.20	am	(P-5247; A-11196)
509.75	am	170.30	n	(P-5247; A-11196)
509.80	am	175.10	am	(P-7518/91; A-4058)
509.90	am	520.900	am	(P-89)
509.95	n	520.930	am	(P-89)
509.100	am	520.1100	n	(P-89)
509.110	am	520.1110	n	(P-89)
509.130	r	520.1120	n	(P-89)
		520.1130	n	(P-89)

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170.12	am	(P-5247; A-11196)
170.13	am	(P-5247; A-11196)
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170.20	am	(P-5247; A-11196)
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175.10	am	(P-7518/91; A-4058)
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520.930	am	(P-89)
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1235.110	n	(E-17785/91; O-1746)	1810.530 (P-469) (E-732)
1235.120	n	(P-17566/91; A-7041)	1810.540 (P-469) (E-732)
1235.130	n	(E-17785/91; O-1746)	1810.550 (P-469) (E-732)
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1285.40	n	(E-17785/91; O-1746)	1810.700 (P-469) (E-732)
1285.50	n	(P-17566/91; A-7041)	1810.710 (P-469) (E-732)
1285.60	n	(E-17785/91; O-1746)	1810.720 (P-469) (E-732)
1285.70	n	(P-17566/91; A-7041)	1810.730 (P-469) (E-732)
1285.80	n	(E-17785/91; O-1746)	1810.800 (P-469) (E-732)
1570.10	n	(P-3840)	1810.900 (P-469) (E-732)
1570.20	n	(P-3840)	1810.910 (P-469) (E-732)
1570.30	n	(P-3840)	1810.1000 (P-469) (E-732)
1570.40	n	(P-3840)	1810.1010 (P-469) (E-732)
1570.50	n	(P-3840)	1810.1020 (P-469) (E-732)
1580.10	n	(P-3840)	1810.1100 (P-469) (E-732)
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1810.210	n	(P-469) (E-732)	
1810.220	n	(P-469) (E-732)	
1810.230	n	(P-469) (E-732)	
1810.240	n	(P-469) (E-732)	
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120.90	am	(P-1452; A-10213)	
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130.20	am	(P-1439; A-9475)	
130.30	am	(P-1439; A-9475)	
130.40	am	(P-1439; A-9475)	
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435.10	am	(P-1941; A-8166)	
435.12	n	(P-1941; A-8166)	
435.15	am	(P-1941; A-8166)	
435.20	am	(P-1941; A-8166)	
435.30	am	(P-1941; A-8166)	
435.40	am	(P-1941; A-8166)	
435.50	am	(P-1941; A-8166)	
435.60	am	(P-1941; A-8166)	
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504.810	am	(P-3715; A-10430)	
504.830	am	(P-3715; A-10430)	
504.905	am	(P-3715; A-10430)	
504.910	am	(P-3715; A-10430)	
504.920	am	(P-3715; A-10430)	
504.930	am	(P-3715; A-10430)	
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1205.20	n	(P-4803)	
1205.30	n	(P-4803)	
1205.40	n	(P-4803)	
1205.50	n	(P-4803)	
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1235.20	n	(E-17785/91; O-1746)	
1235.30	n	(P-17566/91; A-7041)	
1235.40	n	(P-17566/91; A-7041)	
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228.15	n (P-9253)	2720.90 am (P-4386; A-11224)
228.20	am (P-9253)	2720.105 am (P-4386; A-11224)
228.25	n (P-9253)	2720.120 am (P-4386; A-11224)
228.30	am (P-9253)	2720.130 am (P-4386; A-11224)
228.50	am (P-9253)	2720.200 am (P-4386; A-11224)
235.10	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.20	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.30	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.40	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.45	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.50	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.60	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.100	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.110	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.120	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
235.130	n (P-439; A-10181)	2720.210 am (P-4386; A-11224)
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1501.515	am (P-10524)	2720.210 am (P-4386; A-11224)
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2700.20	am (P-4368; A-11206)	2720.210 am (P-4386; A-11224)
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2700.70	am (P-4368; A-11206)	2720.210 am (P-4386; A-11224)
2720.5	am (P-4386; A-11224)	2720.210 am (P-4386; A-11224)
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2720.30	am (P-4386; A-11224)	2720.210 am (P-4386; A-11224)
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2771.30	n	(P-18114/91; A-6873)	210.60	n	(P-2003)
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2790.20	am	(P-4431; A-11269)	331.120	am	(P-2984; A-11479)
2790.30	am	(P-4431; A-11269)	331.130	am	(P-2984; A-11479)
2790.40	am	(P-4431; A-11269)	331.200	am	(P-2984; A-11479)
2790.50	am	(P-4431; A-11269)	331.Ap.A	r	(P-2984; A-11479)
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2790.70	am	(P-4431; A-11269)	331.Tb.B	r	(P-2984; A-11479)
2790.80	am	(P-4431; A-11269)	331.Tb.C	r	(P-2984; A-11479)
2790.90	am	(P-4431; A-11269)	331.Ap.B	am	(P-2984; A-11479)
2790.100	am	(P-4431; A-11269)	331.Ap.C	r	(P-2984; A-11479)
2790.110	am	(P-4431; A-11269)	340.4010	am	(P-2746; A-11538)
2790.120	am	(P-4431; A-11269)	400.120	am	(P-2739; A-11531)
2790.130	am	(P-4431; A-11269)	400.140	am	(P-2739; A-11531)
2790.140	am	(P-4431; A-11269)	400.150	am	(P-2739; A-11531)
2790.Ap.A	r	(P-4431; A-11269)	400.160	am	(P-2739; A-11531)
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3040.160	am	(P-7321)	401.110	am	(P-1474; A-9115)

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205.30	am	(P-5556)
205.40	am	(P-5556)
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700.5	n	(P-17440/91; A-11170)
700.10	n	(P-17440/91; A-11170)
700.15	n	(P-17440/91; A-11170)
700.20	n	(P-17440/91; A-11170)
700.25	n	(P-17440/91; A-11170)
700.30	n	(P-17440/91; A-11170)
700.35	n	(P-17440/91; A-11170)
700.40	n	(P-17440/91; A-11170)
700.45	n	(P-17440/91; A-11170)
700.50	n	(P-17440/91; A-11170)
700.55	n	(P-17440/91; A-11170)
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721.210	am	(P-820; A-9519)	726.Ap.BW	n	(P-1148; A-9858)
721.211	am	(P-820; A-9519)	726.Ap.BX	n	(P-1148; A-9858)
721.212	am	(P-820; A-9519)	726.Ap.BY	n	(P-1148; A-9858)
721.213	am	(P-820; A-9519)	726.Ap.BZ	n	(P-1148; A-9858)
721.214	am	(P-820; A-9519)	726.Ap.CA	n	(P-1148; A-9858)
721.215	am	(P-820; A-9519)	726.Ap.CB	n	(P-1148; A-9858)
721.216	am	(P-820; A-9519)	726.Ap.CC	n	(P-1148; A-9858)
721.217	am	(P-820; A-9519)	726.Ap.CD	n	(P-1148; A-9858)
721.218	am	(P-820; A-9519)	726.Ap.CE	n	(P-1148; A-9858)
721.219	am	(P-820; A-9519)	726.Ap.CF	n	(P-1148; A-9858)
721.220	am	(P-820; A-9519)	726.Ap.CG	n	(P-1148; A-9858)
721.221	am	(P-820; A-9519)	726.Ap.CH	n	(P-1148; A-9858)
721.222	am	(P-820; A-9519)	726.Ap.CI	n	(P-1148; A-9858)
721.223	am	(P-820; A-9519)	726.Ap.CJ	n	(P-1148; A-9858)
721.224	am	(P-820; A-9519)	726.Ap.CK	n	(P-1148; A-9858)
721.225	am	(P-820; A-9519)	726.Ap.CL	n	(P-1148; A-9858)
721.226	am	(P-820; A-9519)	726.Ap.CM	n	(P-1148; A-9858)
721.227	am	(P-820; A-9519)	726.Ap.CN	n	(P-1148; A-9858)
721.228	am	(P-820; A-9519)	726.Ap.CO	n	(P-1148; A-9858)
721.229	am	(P-820; A-9519)	726.Ap.CP	n	(P-1148; A-9858)
721.230	am	(P-820; A-9519)	726.Ap.CQ	n	(P-1148; A-9858)
721.231	am	(P-820; A-9519)	726.Ap.CR	n	(P-1148; A-9858)
721.232	am	(P-820; A-9519)	726.Ap.CS	n	(P-1148; A-9858)
721.233	am	(P-820; A-9519)	726.Ap.CT	n	(P-1148; A-9858)
721.234	am	(P-820; A-9519)	726.Ap.CU	n	(P-1148; A-9858)
721.235	am	(P-820; A-9519)	726.Ap.CV	n	(P-1148; A-9858)
721.236	am	(P-820; A-9519)	726.Ap.CW	n	(P-1148; A-9858)
721.237	am	(P-820; A-9519)	726.Ap.CX	n	(P-1148; A-9858)
721.238	am	(P-820; A-9519)	726.Ap.CY	n	(P-1148; A-9858)
721.239	am	(P-820; A-9519)	726.Ap.CZ	n	(P-1148; A-9858)
721.240	am	(P-820; A-9519)	726.Ap.DA	n	(P-1148; A-9858)
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721.242	am	(P-820; A-9519)	726.Ap.DC	n	(P-1148; A-9858)
721.243	am	(P-820; A-9519)	726.Ap.DD	n	(P-1148; A-9858)
721.244	am	(P-820; A-9519)	726.Ap.DE	n	(P-1148; A-9858)
721.245	am	(P-820; A-9519)	726.Ap.DF	n	(P-1148; A-9858)
721.246	am	(P-820; A-9519)	726.Ap.DG	n	(P-1148; A-9858)
721.247	am	(P-820; A-9519)	726.Ap.DH	n	(P-1148; A-9858)
721.248	am	(P-820; A-9519)	726.Ap.DI	n	(P-1148; A-9858)
721.249	am	(P-820; A-9519)	726.Ap.DJ	n	(P-1148; A-9858)
721.250	am	(P-820; A-9519)	726.Ap.DK	n	(P-1148; A-9858)
721.251	am	(P-820; A-9519)	726.Ap.DL	n	(P-1148; A-9858)
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721.253	am	(P-820; A-9519)	726.Ap.DN	n	(P-1148; A-9858)
721.254	am	(P-820; A-9519)	726.Ap.DO	n	(P-1148; A-9858)
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721.261	am	(P-820; A-9519)	726.Ap.DV	n	(P-1148; A-9858)
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		140.890	r		
		140.900	r		
		140.910	r		
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		141.360	r		
		141.370	r		
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		141.410	r		
		141.420	r		
		141.430	r		
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		141.540	r		
		141.550	r		
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		141.580	r		
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		141.840	r		
		141.850	r		
		141.860	r		
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		141.910	r		
		141.920	r		
		141.930	r		
		141.940	r		
		141.950	r		
		141.960	r		
		141.970	r		
		141.980	r		
		141.990	r		
		142.000	r		
		142.010	r		
		142.020	r		
		142.030	r		
		142.040	r		
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		142.090	r		
		142.100	r		

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TITLE 59 (CONT'D)				
130.10	r (P-8842)	132.60	n	(P-7;A-9006;RC-8252) (E-211)
130.11	r (P-8842)	132.65	n	(P-7;A-9006;RC-8252) (E-211)
130.15	r (P-8842)	132.70	n	(P-7;A-9006;RC-8252) (E-211)
130.20	r (P-8842)			
130.30	r (P-8842)			
130.40	r (P-8842)			
130.51	r (P-8842)	132.75	n	(P-7;A-9006;RC-8252) (E-211)
130.60	r (P-8842)	132.80	n	(P-7;A-9006;RC-8252) (E-211)
130.70	r (P-8842)	132.85	n	(P-7;A-9006;RC-8252) (E-211)
130.80	r (P-8842)	132.90	n	(P-7;A-9006;RC-8252) (E-211)
130.100	r (P-8842)	132.95	n	(P-7;A-9006;RC-8252) (E-211)
130.105	r (P-8842)	132.100	n	(P-7;A-9006;RC-8252) (E-211)
130.110	am (E-2656)	132.105	n	(P-7;A-9006;RC-8252) (E-211)
130.110	r (P-8842)	132.110	n	(P-7;A-9006;RC-8252) (E-211)
130.120	r (P-8842)	132.115	n	(P-7;A-9006;RC-8252) (E-211)
130.130	r (P-8842)	132.120	n	(P-7;A-9006;RC-8252) (E-211)
130.140	r (P-8842)	132.125	n	(P-7;A-9006;RC-8252) (E-211)
130.150	r (P-8842)	132.130	n	(P-7;A-9006;RC-8252) (E-211)
130.160	r (P-8842)	132.135	n	(P-7;A-9006;RC-8252) (E-211)
130.170	r (P-8842)	132.140	n	(P-7;A-9006;RC-8252) (E-211)
130.180	r (P-8842)	132.145	n	(P-7;A-9006;RC-8252) (E-211)
130.190	r (P-8842)	132.150	n	(P-7;A-9006;RC-8252) (E-211)
130.200	r (P-8842)	132.155	n	(P-7;A-9006;RC-8252) (E-211)
130.210	r (P-8842)	132.160	n	(P-7;A-9006;RC-8252) (E-211)
130.220	r (P-8842)	132.165	n	(P-7;A-9006;RC-8252) (E-211)
130.230	r (P-8842)	132.170	n	(P-7;A-9006;RC-8252) (E-211)
130.240	r (P-8842)	132.Ap.A	n	(P-7;A-9006;RC-8252) (E-211)
130.250	r (P-8842)	132.Ap.B	n	(P-7;A-9006;RC-8252) (E-211)
130.Tb.A	r (P-8842)			
130.Tb.B	r (P-8842)			
132.10	n (P-7;A-9006;RC-8252) (E-211)			
132.15	n (P-7;A-9006;RC-8252) (E-211)			
132.20	n (P-7;A-9006;RC-8252) (E-211)			
132.25	n (P-7;A-9006;RC-8252) (E-211)			
132.30	n (P-7;A-9006;RC-8252) (E-211)			
132.35	n (P-7;A-9006;RC-8252) (E-211)			
132.40	n (P-7;A-9006;RC-8252) (E-211)			
132.45	n (P-7;A-9006;RC-8252) (E-211)			
132.50	n (P-7;A-9006;RC-8252) (E-211)			
132.55	n (P-7;A-9006;RC-8252) (E-211)			

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2630.82	am	(P-8081/91; A-1524)	5300.460	am	(P-10521/91; A-7838)
		(P-1154591; A-6796)	5300.550	r	(P-10521/91; A-7838)
2630.83	am	(P-8081/91; A-1524)	5300.560	am	(P-10521/91; A-7838)
2650.10	am	(P-9202)	5300.570	r	(P-10521/91; A-7838)
2650.20	am	(P-9202)	5300.610	am	(P-10521/91; A-7838)
2650.30	am	(P-9202)	5300.620	am	(P-10521/91; A-7838)
2650.40	am	(P-9202)	5300.630	am	(P-10521/91; A-7838)
2650.310	n	(P-9202)	5300.640	am	(P-10521/91; A-7838)
2650.320	n	(P-9202)	5300.650	am	(P-10521/91; A-7838)
2650.330	n	(P-9202)	5300.660	am	(P-10521/91; A-7838)
2650.340	n	(P-9202)	5300.720	am	(P-10521/91; A-7838)
2650.350	n	(P-9202)	5300.730	am	(P-10521/91; A-7838)
2720.1	am	(P-14343/91; A-2556)	5300.735	n	(P-10521/91; A-7838)
2720.2	n	(E-7506)	5300.745	n	(P-10521/91; A-7838)
2720.5	am	(P-14343/91; A-2556)	5300.750	am	(P-10521/91; A-7838)
2720.7	n	(P-14343/91; A-2556)	5300.760	am	(P-10521/91; A-7838)
2720.10	am	(P-14343/91; A-2556)	5300.765	n	(P-10521/91; A-7838)
2720.108	n	(P-14343/91; A-2556)	5300.770	r	(P-10521/91; A-7838)
2720.130	am	(P-14343/91; A-2556)	5300.782	r	(P-10521/91; A-7838)
2720.215	n	(P-14343/91; A-2556)	5300.783	r	(P-10521/91; A-7838)
2720.240	am	(P-14343/91; A-2556)	5300.784	r	(P-10521/91; A-7838)
2720.315	am	(P-14343/91; A-2556)	5300.785	r	(P-10521/91; A-7838)
2725.2	n	(E-7502)	5300.786	r	(P-10521/91; A-7838)
2725.100	am	(P-3734)	5300.787	r	(P-10521/91; A-7838)
2725.105	am	(P-14014/91; A-2122)	5300.825	am	(P-10521/91; A-7838)
2725.115	am	(P-14014/91; A-2122)	5300.865	am	(P-10521/91; A-7838)
2725.225	am	(P-3734)	5300.920	am	(P-10521/91; A-7838)
2725.237	n	(P-13252/91; A-113)	5300.930	am	(P-10521/91; A-7838)
2725.245	am	(P-3734)	5300.940	am	(P-10521/91; A-7838)
2732.203	n	(P-3248; A-8173)	5300.950	am	(P-10521/91; A-7838)
2732.220	n	(P-3248; A-8173)	5300.960	am	(P-10521/91; A-7838)
2732.305	n	(P-785)	5300.1145	n	(P-10521/91; A-7838)
2760.110	am	(P-14023/91; A-3993)	5300.1150	am	(P-10521/91; A-7838)
2760.120	am	(P-14023/91; A-3993)	5300.1160	am	(P-10521/91; A-7838)
2760.125	am	(P-14023/91; A-3993)	5400.110	am	(P-1490; A-8529)
2760.130	am	(P-14023/91; A-3993)			(E-1693)
2760.145	am	(P-14023/91; A-3993)	5400.210	am	(P-1490; A-8529)
2760.150	am	(P-14023/91; A-3993)			(E-1693)
2765.45	am	(P-14032/91; A-2131)	5400.310	am	(P-1490; A-8529)
2765.55	am	(P-14032/91; A-2131)			(E-1693)
2765.60	am	(P-14032/91; A-2131)	6000.50	am	(P-3399)
2765.68	am	(P-14032/91; A-2131)	6000.340	n	(P-7543) (E-7716)
2770.110	am	(P-13257/91; A-118)	TITLE 59		
5300.10	am	(P-10521/91; A-7838)	101.100	n	(P-14363/91; A-2137)
5300.20	am	(P-10521/91; A-7838)			(E-14663/91)
5300.30	am	(P-10521/91; A-7838)	103.90	am	(E-2643)
5300.40	am	(P-10521/91; A-7838)	115.320	am	(E-2676)
5300.210	am	(P-10521/91; A-7838)	119.260	am	(E-2662)
5300.310	am	(P-10521/91; A-7838)	120.70	am	(E-2652)
5300.450	am	(P-10521/91; A-7838)	125.70	am	(E-2672)

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.Tb.A	n	(P-7;A-9006;RC-8252) (E-211)	240.1410	r	(P-14365/91; P-14679/91; A-2576)
.Tb.B	n	(P-7;A-9006;RC-8252) (E-211)	240.1410	n	(P-14365/91; P-14679/91; A-2576)
.Tb.C	n	(P-7;A-9006;RC-8252) (E-211)	240.1420	r	(P-14365/91; P-14679/91; A-2576)
135.30	am	(E-2648)	240.1420	n	(P-14365/91; P-14679/91; A-2576)
TITLE 62					
200.12	am	(P-3267; A-11449)	240.1430	r	(P-14365/91; P-14679/91; A-2576)
200.201	am	(P-3267; A-11449)	240.1430	am	(P-3282)
200.402	am	(P-3267; A-11449)	240.1440	r	(P-14365/91; P-14679/91; A-2576)
200.500	am	(P-3267; A-11449)	240.1440	n	(P-14365/91; P-14679/91; A-2576)
200.600	am	(P-3267; A-11449)	240.1440	n	(P-14365/91; P-14679/91; A-2576)
200.603	am	(P-3267; A-11449)	240.1450	r	(P-14365/91; P-14679/91; A-2576)
200.604	am	(P-3267; A-11449)	240.1450	am	(P-14365/91; P-14679/91; A-2576)
200.806	am	(P-3267; A-11449)	240.1450	am	(P-14365/91; P-14679/91; A-2576)
200.Ap.B	n	(P-3267; A-11449)	240.1460	r	(P-14365/91; P-14679/91; A-2576)
220.190	am	(P-3316; A-11463)	240.1460	r	(P-14365/91; P-14679/91; A-2576)
240.10	am	(P-3282)	240.1460	am	(P-14365/91; P-14679/91; A-2576)
240.500	n	(P-3282)	240.1470	r	(P-14365/91; P-14679/91; A-2576)
240.510	r	(P-3282)	240.1500	r	(P-14365/91; P-14679/91; A-2576)
240.510	n	(P-3282)	240.1500	n	(P-14365/91; P-14679/91; A-2576)
240.520	r	(P-3282)	240.1510	n	(P-14365/91; P-14679/91; A-2576)
240.520	n	(P-3282)	240.1520	n	(P-14365/91; P-14679/91; A-2576)
240.530	r	(P-3282)	240.1530	n	(P-14365/91; P-14679/91; A-2576)
240.530	n	(P-3282)	1701.Ap.A	am	(P-14365/91; P-14679/91; A-2576)
240.540	n	(P-3282)	1702.11	am	(P-10644)
240.550	n	(P-3282)	1702.12	am	(P-10631)
240.610	am	(P-3282)	1702.17	am	(P-10631)
240.630	am	(P-3282)	1702.18	am	(P-10631)
240.640	am	(P-3282)	1705.21	am	(P-10631)
240.710	am	(P-3282)	1761.5	n	(P-10596)
240.760	am	(P-3282)	1761.11	am	(P-10596)
240.780	am	(P-3282)	1761.12	am	(P-10596)
240.995	r	(P-14365/91; P-14679/91; A-2576)	1764.19	am	(P-10596)
240.1110	am	(P-3282)	1772.12	am	(P-10596)
240.1130	am	(P-3282)	1772.12	am	(P-10596)
240.1150	am	(P-3282)	1773.13	am	(P-10596)
240.1160	r	(P-3282)	1773.15	am	(P-10596)
240.1160	n	(P-3282)	1773.20	am	(P-10596)
240.1170	am	(P-3282)	1773.21	am	(P-10596)
240.1180	r	(P-3282)	1773.21	am	(P-10596)
240.1400	r	(P-14365/91; P-14679/91; A-2576)	1773.21	am	(P-10596)
240.1400	n	(P-14365/91; P-14679/91; A-2576)	1773.21	am	(P-10596)
240.1405	r	(P-14365/91; P-14679/91; A-2576)	1773.21	am	(P-10596)

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1774.11	am	(P-10793)	1845.20	am	(P-10619)
1774.13	am	(P-10793)	1846.17	am	(P-10691)
1774.15	am	(P-10793)	1846.18	am	(P-10691)
1775.1	r	(P-10590)	1847.1	n	(P-10569)
1775.11	r	(P-10590)	1847.2	n	(P-10569)
1775.13	r	(P-10590)	1847.3	n	(P-10569)
1777.17	am	(P-10590)	1847.4	n	(P-10569)
1778.15	am	(P-10590)	1847.5	n	(P-10569)
1779.19	am	(P-10590)	1847.6	n	(P-10569)
1780.21	am	(P-10590)	1847.7	n	(P-10569)
1780.33	am	(P-10590)	1847.8	n	(P-10569)
1780.38	am	(P-10590)	1847.9	n	(P-10569)
1783.19	am	(P-10590)	1848.1	n	(P-10569)
1784.14	am	(P-10590)	1848.2	n	(P-10569)
1784.18	am	(P-10590)	1848.3	n	(P-10569)
1784.27	am	(P-10590)	1848.5	n	(P-10569)
1785.13	am	(P-10590)	1848.6	n	(P-10569)
1800.11	am	(P-10590)	1848.7	n	(P-10569)
1800.40	am	(P-10590)	1848.8	n	(P-10569)
1800.50	am	(P-10590)	1848.9	n	(P-10569)
1816.42	am	(P-10590)	1848.11	n	(P-10569)
1816.43	am	(P-10590)	1848.12	n	(P-10569)
1816.49	am	(P-10590)	1848.13	n	(P-10569)
1816.84	am	(P-10590)	1848.15	n	(P-10569)
1816.116	am	(P-10590)	1848.16	n	(P-10569)
1816.117	am	(P-10590)	1848.17	n	(P-10569)
1816.151	am	(P-10590)	1848.18	n	(P-10569)
1817.42	am	(P-10590)	1848.19	n	(P-10569)
1817.43	am	(P-10590)	1848.20	n	(P-10569)
1817.49	am	(P-10590)	1848.21	n	(P-10569)
1817.84	am	(P-10590)	1848.22	n	(P-10569)
1817.116	am	(P-10590)	2501.37	n	(P-2719; A-8345)
1817.151	am	(P-10590)	TITLE 68		
1827.12	am	(P-10590)	580.10	n	(P-8671)
1843.12	am	(P-10590)	580.20	n	(P-8671)
1843.13	am	(P-10590)	580.30	n	(P-8671)
1843.14	am	(P-10590)	580.40	n	(P-8671)
1843.15	am	(P-10590)	580.50	n	(P-8671)
1843.16	r	(P-10590)	870.100	n	(P-12094/91; A-3096)
1843.17	r	(P-10590)	870.105	n	(P-12094/91; A-3096)
1843.20	r	(P-10590)	870.110	n	(P-12094/91; A-3096)
1843.21	r	(P-10590)	870.115	n	(P-12094/91; A-3096)
1843.22	r	(P-10590)	870.120	n	(P-12094/91; A-3096)
1843.23	r	(P-10590)	870.200	n	(P-12094/91; A-3096)
1843.24	r	(P-10590)	870.210	n	(P-12094/91; A-3096)
1843.25	r	(P-10590)	870.215	n	(P-12094/91; A-3096)
1843.26	r	(P-10590)	870.220	n	(P-12094/91; A-3096)
1843.27	r	(P-10590)	870.225	n	(P-12094/91; A-3096)
1843.28	r	(P-10590)	870.230	n	(P-12094/91; A-3096)
1843.29	r	(P-10590)	870.235	n	(P-12094/91; A-3096)

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870.240	n	1310.20	am	110.10	n	205.620	am
870.245	n	1310.30	am	110.20	n	250.2720	n
870.300	n	1310.40	am	110.30	n	300.110	am
870.305	n	1310.60	am	110.40	n	300.110	am
870.310	n	1310.70	am	110.50	n	300.120	am
870.315	n	1310.75	am	110.60	n	300.140	am
870.320	n	1310.80	am	110.70	n	300.150	am
870.325	n	1310.85	am	110.80	n	300.150	am
870.400	n	1310.90	am	110.90	n	300.150	am
870.405	n	1310.10	am	111.00	n	300.150	am
870.410	n	1310.20	am	111.10	n	300.150	am
870.415	n	1310.30	am	111.20	n	300.150	am
870.420	n	1310.40	am	111.30	n	300.150	am
870.425	n	1310.50	am	111.40	n	300.150	am
870.430	n	1310.60	am	111.50	n	300.150	am
870.435	n	1310.70	am	111.60	n	300.150	am
870.440	n	1310.80	am	111.70	n	300.150	am
870.445	n	1310.90	am	111.80	n	300.150	am
870.450	n	1310.10	am	111.90	n	300.150	am
870.455	n	1310.20	am	112.00	n	300.150	am
870.460	n	1310.30	am	112.10	n	300.150	am
870.465	n	1310.40	am	112.20	n	300.150	am
870.470	n	1310.50	am	112.30	n	300.150	am
870.475	n	1310.60	am	112.40	n	300.150	am
870.480	n	1310.70	am	112.50	n	300.150	am
870.485	n	1310.80	am	112.60	n	300.150	am
870.490	n	1310.90	am	112.70	n	300.150	am
870.495	n	1310.10	am	112.80	n	300.150	am
870.500	n	1310.20	am	112.90	n	300.150	am
870.505	n	1310.30	am	113.00	n	300.150	am
870.510	n	1310.40	am	113.10	n	300.150	am
870.515	n	1310.50	am	113.20	n	300.150	am
870.520	n	1310.60	am	113.30	n	300.150	am
870.525	n	1310.70	am	113.40	n	300.150	am
1130.10	n	1310.80	am	113.50	n	300.150	am
1130.20	n	1310.90	am	113.60	n	300.150	am
1130.30	n	1310.10	am	113.70	n	300.150	am
1130.40	n	1310.20	am	113.80	n	300.150	am
1130.50	n	1310.30	am	113.90	n	300.150	am
1130.60	n	1310.40	am	114.00	n	300.150	am
1130.70	n	1310.50	am	114.10	n	300.150	am
1150.20	am	1310.60	am	114.20	n	300.150	am
1150.30	am	1310.70	am	114.30	n	300.150	am
1150.40	am	1310.80	am	114.40	n	300.150	am
1150.50	am	1310.90	am	114.50	n	300.150	am
1150.60	am	1310.10	am	114.60	n	300.150	am
1150.65	am	1310.20	am	114.70	n	300.150	am
1150.70	am	1310.30	am	114.80	n	300.150	am
1150.80	am	1310.40	am	114.90	n	300.150	am
1150.90	am	1310.50	am	115.00	n	300.150	am
1150.100	am	1310.60	am	115.10	n	300.150	am
1150.110	am	1310.70	am	115.20	n	300.150	am
1150.11.A	am	1310.80	am	115.30	n	300.150	am
1175.565	am	1310.90	am	115.40	n	300.150	am
1200.30	am	1310.10	am	115.50	n	300.150	am
1255.10	n	1310.20	am	115.60	n	300.150	am
1255.20	n	1310.30	am	115.70	n	300.150	am
1255.30	n	1310.40	am	115.80	n	300.150	am
1255.40	n	1310.50	am	115.90	n	300.150	am
1255.50	n	1310.60	am	116.00	n	300.150	am
1255.60	n	1310.70	am	116.10	n	300.150	am
1255.70	n	1310.80	am	116.20	n	300.150	am
1255.80	n	1310.90	am	116.30	n	300.150	am
1255.90	n	1310.10	am	116.40	n	300.150	am
1270.20	am	1310.20	am	116.50	n	300.150	am
1275.40	am	1310.30	am	116.60	n	300.150	am
1275.50	am	1310.40	am	116.70	n	300.150	am
1275.80	n	1310.50	am	116.80	n	300.150	am
		1310.60	am	116.90	n	300.150	am
		1310.70	am	117.00	n	300.150	am
		1310.80	am	117.10	n	300.150	am
		1310.90	am	117.20	n	300.150	am
		1310.10	am	117.30	n	300.150	am
		1310.20	am	117.40	n	300.150	am
		1310.30	am	117.50	n	300.150	am
		1310.40	am	117.60	n	300.150	am
		1310.50	am	117.70	n	300.150	am
		1310.60	am	117.80	n	300.150	am
		1310.70	am	117.90	n	300.150	am
		1310.80	am	118.00	n	300.150	am
		1310.90	am	118.10	n	300.150	am
		1310.10	am	118.20	n	300.150	am
		1310.20	am	118.30	n	300.150	am
		1310.30	am	118.40	n	300.150	am
		1310.40	am	118.50	n	300.150	am
		1310.50	am	118.60	n	300.150	am
		1310.60	am	118.70	n	300.150	am
		1310.70	am	118.80	n	300.150	am
		1310.80	am	118.90	n	300.150	am
		1310.90	am	119.00	n	300.150	am
		1310.10	am	119.10	n	300.150	am
		1310.20	am	119.20	n	300.150	am
		1310.30	am	119.30	n	300.150	am
		1310.40	am	119.40	n	300.150	am
		1310.50	am	119.50	n	300.150	am
		1310.60	am	119.60	n	300.150	am
		1310.70	am	119.70	n	300.150	am
		1310.80	am	119.80	n	300.150	am
		1310.90	am	119.90	n	300.150	am
		1310.10	am	120.00	n	300.150	am
		1310.20	am	120.10	n	300.150	am
		1310.30	am	120.20	n	300.150	am
		1310.40	am	120.30	n	300.150	am
		1310.50	am	120.40	n	300.150	am
		1310.60	am	120.50	n	300.150	am
		1310.70	am	120.60	n	300.150	am
		1310.80	am	120.70	n	300.150	am
		1310.90	am	120.80	n	300.150	am
		1310.10	am	120.90	n	300.150	am
		1310.20	am	121.00	n	300.150	am
		1310.30	am	121.10	n	300.150	am
		1310.40	am	121.20	n	300.150	am
		1310.50	am	121.30	n	300.150	am
		1310.60	am	121.40	n	300.150	am
		1310.70	am	121.50	n	300.150	am
		1310.80	am	121.60	n	300.150	am
		1310.90	am	121.70	n	300.150	am
		1310.10	am	121.80	n	300.150	am
		1310.20	am	121.90	n	300.150	am
		1310.30	am	122.00	n	300.150	am
		1310.40	am	122.10	n	300.150	am
		1310.50	am	122.20	n	300.150	am
		1310.60	am	122.30	n	300.150	am
		1310.70	am	122.40	n	300.150	am
		1310.80	am	122.50	n	300.150	am
		1310.90	am	122.60	n	300.150	am
		1310.10	am	122.70	n	300.150	am
		1310.20	am	122.80	n	300.150	am
		1310.30	am	122.90	n	300.150	am
		1310.40	am	123.00	n	300.150	am
		1310.50	am	123.10	n	300.150	am
		1310.60	am	123.20	n	300.150	am
		1310.70	am	123.30	n	300.150	am
		1310.80	am	123.40	n	300.150	am
		1310.90	am	123.50	n	300.150	am
		1310.10	am	123.60	n	300.150	am
		1310.20	am	123.70	n	300.150	am
		1310.30	am	123.80	n	300.150	am
		1310.40	am	123.90	n	300.150	am
		1310.50	am	124.00	n	300.150	am
		1310.60	am	124.10	n	300.150	am
		1310.70	am	124.20	n	300.150	am
		1310.80	am	124.30	n	300.150	am
		1310.90	am	124.40	n	300.150	am
		1310.10	am	124.50	n	300.150	am
		1310.20	am	124.60	n	300.150	am
		1310.30	am	124.70	n	300.150	am
		1310.40	am	124.80	n	300.150	am
		1310.50	am	124.90	n	300.150	am
		1310.60	am	125.00	n	300.150	am
		1310.70	am	125.10	n	300.150	am
		1310.80	am	125.20	n	300.150	am
		1310.90	am	125.30	n	300.150	am
		1310.10	am	125.40	n	300.150	am
		1310.20	am	125.50	n	300.150	am
		1310.30	am	125.60	n	300.150	am
		1310.40	am	125.70	n	300.150	am
		1310.50	am	125.80	n	300.150	am
		1310.60	am	125.90	n	300.150	am
		1310.70	am	126.00	n	300.150	am
		1310.80	am	126.10	n	300.150	am
		1310.90	am	126.20	n	300.150	am
		1310.10	am	126.30	n	300.150	am
		1310.20	am	126.40	n	300.150	am
		1310.30	am	126.50	n	300.150	am
		1310.40	am	126.60	n	300.150	am
		1310.50	am	126.70	n	300.150	am
		1310.60	am	126.80	n	300.150	am
		1310.70	am	126.90	n	300.150	am
		1310.80	am	127.00	n	300.150	am
		1310.90	am	127.10	n	300.150	am
		1310.10	am	127.20	n	300.150	am
		1310.20	am	127.30	n	300.150	am
		1310.30	am	127.40	n	300.150	am

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535.20	(P-10911)	672.450	am	(P-9424)
535.100	(P-10911)	672.505	am	(P-9424)
535.150	(P-10911)	672.510	am	(P-9424)
535.200	(P-10911)	672.515	am	(P-9424)
535.210	(P-10911)	672.615	am	(P-9424)
535.215	(P-10911)	672.625	am	(P-9424)
535.216	(P-10911)	672.625	am	(P-9424)
535.220	(P-10911)	692.10	n	(P-14389/91; A-4052)
535.230	(P-10911)	692.10	n	(P-14389/91; A-4052)
535.260	(P-10911)	692.10	n	(P-14389/91; A-4052)
535.265	(P-10911)	693.10	am	(P-16874/91; RC-4556; A-5921)
535.270	(P-10911)	693.15	am	(P-16874/91; A-5921)
535.310	(P-10911)	693.30	am	(P-16874/91; RC-4556; A-5921)
535.315	(P-10911)	693.30	am	(P-16874/91; RC-4556; A-5921)
535.320	(P-10911)	693.40	am	(P-16874/91; RC-4556; A-5921)
535.330	(P-10911)	693.45	n	(P-16874/91; A-5921)
535.340	(P-10911)	693.100	am	(P-16874/91; A-5921)
535.410	(P-10911)	694.220	am	(P-6972/91; A-5916)
535.415	(P-10911)	750.5	am	(P-5836)
535.420	(P-10911)	750.10	am	(P-5836)
535.430	(P-10911)	750.100	am	(P-5836)
535.435	(P-10911)	750.110	am	(P-5836)
535.440	(P-10911)	750.1000	am	(P-5836)
535.500	(P-10911)	750.2000	n	(P-5836)
535.510	(P-10911)	750.2010	n	(P-5836)
535.515	(P-10911)	750.2020	n	(P-5836)
535.520	(P-10911)	750.2030	n	(P-5836)
535.530	(P-10911)	750.2031	n	(P-5836)
535.535	(P-10911)	750.2032	n	(P-5836)
535.540	(P-10911)	750.2040	n	(P-5836)
535.600	(P-10911)	750.2041	n	(P-5836)
535.650	(P-10911)	750.2042	n	(P-5836)
535.750	(P-10911)	750.2050	n	(P-5836)
535.810	(P-10911)	750.2060	n	(P-5836)
535.1000	(P-10911)	750.2070	n	(P-5836)
630.20	(P-8103)	750.2080	n	(P-5836)
630.90	(P-8103)	750.3000	n	(P-5836)
630.200	(P-8103)	750.3100	n	(P-5836)
672.100	(P-9424)	750.3200	n	(P-5836)
672.105	(P-9424)	760.15	am	(P-5861)
672.200	(P-9424)	760.20	am	(P-5861)
672.205	(P-9424)	760.100	am	(P-5861)
672.210	(P-9424)	760.110	am	(P-5861)
672.215	(P-9424)	760.900	am	(P-5861)
672.225	(P-9424)	760.2000	n	(P-5861)
672.300	(P-9424)	760.2010	n	(P-5861)
672.405	(P-9424)	760.2020	n	(P-5861)
672.415	(P-9424)	760.2030	n	(P-5861)

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760.2031	(P-5861)	790.1112	am	(P-4782) (E-4899)
760.2032	(P-5861)	790.1120	am	(P-4782) (E-4899)
760.2040	(P-5861)	790.1140	am	(P-4782) (E-4899)
760.2041	(P-5861)	790.1300	am	(P-4782) (E-4899)
760.2042	(P-5861)	790.1345	am	(P-4782) (E-4899)
760.2050	(P-5861)	790.1350	am	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)
760.2060	(P-5861)		n	(P-4782) (E-4899)
760.2070	(P-5861)	790.1388	n	(P-4782) (E-4899)
760.2080	(P-5861)			(P-15943/91; A-5941; C-7512) (P-8329) (E-8571)
760.3000	(P-5861)			(P-4782) (E-4899)
760.3100	(P-5861)	790.1420	am	(P-4782) (E-4899)
760.3200	(P-5861)	790.1460	am	(P-4782) (E-4899)
770.10	(P-5885)	790.1490	am	(P-4782) (E-4899)
770.20	(P-5885)	790.1500	am	(P-4782) (E-4899)
770.30	(P-5885)	790.1540	am	(P-4782) (E-4899)
790.40	(P-15943/91; A-5941; C-7512)	790.1560	am	(P-4782) (E-4899)
790.480	(P-4782) (E-4899)	790.1570	am	(P-4782) (E-4899)
790.500	(P-4782) (E-4899)	790.1660	am	(P-8329) (E-8571)
790.540	(P-4782) (E-4899)	790.1685	am	(P-4782) (E-4899)
790.548	(P-4782) (E-4899)	790.1700	am	(P-4782) (E-4899)
790.580	(P-4782) (E-4899)	790.1710	am	(P-4782) (E-4899)
790.600	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)	790.1740	am	(P-4782) (E-4899)
	(E-8571)	790.1820	am	(P-4782) (E-4899)
790.620	(P-4782) (E-4899)	790.1830	n	(P-4782) (E-4899)
790.660	(P-4782) (E-4899)	790.1835	n	(P-8329) (E-8571)
790.700	(P-4782) (E-4899)	790.1860	am	(P-4782) (E-4899)
790.706	(P-4782) (E-4899)	790.1950	am	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)
790.721	(P-4782) (E-4899)			(P-4782) (E-4899)
790.740	(P-4782) (E-4899)	790.1980	am	(P-4782) (E-4899)
790.760	(P-8329) (E-8571)	790.2020	am	(P-4782) (E-4899)
790.780	(P-4782) (E-4899)	790.2060	am	(P-8329) (E-8571)
790.788	(P-4782) (E-4899)	790.2097	am	(P-4782) (E-4899)
	(P-4782) (E-4899)	790.2100	am	(P-4782) (E-4899)
790.799	(P-8329) (E-8571)	790.2140	am	(P-4782) (E-4899)
	(P-15943/91; A-5941; C-7512) (P-4782) (E-4899)	790.2155	am	(P-4782) (E-4899)
	(E-8571)	790.2180	am	(P-4782) (E-4899)
	(E-8571)	790.2260	am	(P-4782) (E-4899)
	(E-8571)	790.2380	am	(P-4782) (E-4899)
790.820	(P-4782) (E-4899)	790.2390	am	(P-4782) (E-4899)
790.830	(P-4782) (E-4899)	790.2470	am	(P-4782) (E-4899)
790.860	(P-4782) (E-4899)	790.2485	am	(P-15943/91; A-5941; C-7512)
790.900	(P-4782) (E-4899)			(P-4782) (E-4899)
790.910	(P-4782) (E-4899)	790.2500	am	(P-4782) (E-4899)
790.920	(P-15943/91; A-5941; C-7512)	790.2510	am	(P-4782) (E-4899)
	(P-4782) (E-4899)	790.2540	am	(P-4782) (E-4899)
790.980	(P-4782) (E-4899)			
790.1060	(P-4782) (E-4899)			

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790.8020	am	(P-4782) (E-4899)	790.9580	am	(P-4782) (E-4899)
790.8030	am	(P-8329) (E-8571)	795.10	n	(P-8136)
790.8106	am	(P-4782) (E-4899)	795.20	n	(P-8136)
790.8136	am	(P-4782) (E-4899)	795.30	n	(P-8136)
790.8248	am	(P-4782) (E-4899)	795.40	n	(P-8136)
790.8300	am	(P-4782) (E-4899)	795.50	n	(P-8136)
790.8420	am	(P-4782) (E-4899)	795.60	n	(P-8136)
790.8540	am	(P-4782) (E-4899)	795.70	n	(P-8136)
790.8580	am	(P-4782) (E-4899)	795.80	n	(P-8136)
		(P-4782) (E-4899)	795.90	n	(P-8136)
		(P-4782) (E-4899)	795.100	n	(P-8136)
		(P-15943/91; A-5941;	795.110	n	(P-8136)
		C-7512)	795.120	n	(P-8136)
790.8620	am	(P-4782) (E-4899)	795.130	n	(P-8136)
790.8700	am	(P-4782) (E-4899)	795.140	n	(P-8136)
790.8710	am	(P-4782) (E-4899)	795.150	n	(P-8136)
790.8724	am	(P-4782) (E-4899)	795.160	n	(P-8136)
790.8740	am	(P-4782) (E-4899)	795.170	n	(P-8136)
790.8780	am	(P-4782) (E-4899)	795.180	n	(P-8136)
790.8820	am	(P-4782) (E-4899)	795.190	n	(P-8136)
790.8900	am	(P-4782) (E-4899)	795.200	n	(P-8136)
790.8940	am	(P-4782) (E-4899)	795.210	n	(P-8136)
790.8980	am	(P-4782) (E-4899)	795.220	n	(P-8136)
790.9020	am	(P-4782) (E-4899)	830.10	am	(P-2092; A-11612)
790.9035	am	(P-4782) (E-4899)	830.880	am	(P-2092; A-11612)
790.9045	am	(P-4782) (E-4899)	830.885	am	(P-2092; A-11612)
		(P-4782) (E-4899)	830.890	am	(P-2092; A-11612)
790.9048	am	(P-4782) (E-4899)	830.900	am	(P-2092; A-11612)
		(P-15943/91; A-5941;	840.20	am	(P-4329)
		C-7512)	840.115	am	(P-4329)
790.9050	am	(P-15943/91; A-5941;	840.210	am	(P-4329)
		C-7512) (P-8329)	840.215	am	(P-4329)
		(E-8571)	840.305	am	(P-4329)
790.9056	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9060	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9070	n	(P-8329) (E-8571)	840.310	am	(P-4329)
790.9084	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9100	am	(P-4782) (E-4899)	840.310	am	(P-4329)
		(P-15943/91; A-5941;	840.310	am	(P-4329)
		C-7512)	840.310	am	(P-4329)
790.9140	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9180	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9220	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9260	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9300	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9340	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9380	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9420	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9460	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9500	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9520	am	(P-4782) (E-4899)	840.310	am	(P-4329)
790.9530	am	(P-4782) (E-4899)	840.310	am	(P-4329)

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900.Ex.A	n	(P-10870)	1240.10	r	(P-5225)
900.Ex.B	n	(P-10870)	1240.20	r	(P-5225)
900.Ex.C	n	(P-10870)	1240.30	r	(P-5225)
900.Ex.D	n	(P-10870)	1240.40	r	(P-5225)
905.15	am	(P-8128)	1240.50	r	(P-5225)
905.100	am	(P-8128)	1240.60	r	(P-5225)
915.10	am	(P-10989)	1240.70	r	(P-5225)
915.20	am	(P-10989)	1240.Ap.A	r	(P-5225)
915.40	n	(P-10989)	2030.10	n	(P-9083/91; A-2457)
915.50	n	(P-10989)	2030.20	n	(P-9153/91; A-2530)
1120.Tb.H	n	(P-5205)	2030.30	n	(P-9083/91; A-2457)
1120.110	n	(P-5205)	2030.40	n	(P-9153/91; A-2530)
1120.120	n	(P-5205)	2030.50	r	(P-9083/91; A-2457)
1120.130	n	(P-5205)	2030.60	r	(P-9153/91; A-2530)
1120.210	n	(P-5205)	2030.70	r	(P-9083/91; A-2457)
1120.310	n	(P-5205)	2030.80	n	(P-9083/91; A-2457)
1120.Ap.A	n	(P-5205)	2030.90	n	(P-9083/91; A-2457)
1130.140	am	(P-4755)	2030.100	n	(P-9153/91; A-2530)
1130.220	am	(P-4755)	2030.110	n	(P-9083/91; A-2457)
1130.410	am	(P-4755)	2030.120	n	(P-9153/91; A-2530)
1130.510	am	(P-4755)	2030.130	r	(P-9083/91; A-2457)
1130.620	am	(P-4755)	2030.140	n	(P-9083/91; A-2457)
1130.630	am	(P-4755)	2030.150	n	(P-9083/91; A-2457)
1130.640	am	(P-4755)	2030.160	n	(P-9083/91; A-2457)
1130.710	am	(P-4755)	2030.170	n	(P-9153/91; A-2530)
1130.720	am	(P-4755)	2030.180	n	(P-9083/91; A-2457)
1130.730	am	(P-4755)	2030.190	n	(P-9153/91; A-2530)
1130.740	am	(P-4755)	2030.200	r	(P-9083/91; A-2457)
1130.760	am	(P-4755)	2030.210	n	(P-9153/91; A-2530)
1130.770	am	(P-4755)	2030.220	r	(P-9083/91; A-2457)
1130.780	am	(P-4755)	2030.230	r	(P-9153/91; A-2530)
1190.30	am	(P-3063)	2030.240	r	(P-9083/91; A-2457)
1230.10	r	(P-5187)	2030.250	r	(P-9153/91; A-2530)
1230.20	r	(P-5187)	2030.260	r	(P-9083/91; A-2457)
1230.30	r	(P-5187)	2030.270	r	(P-9153/91; A-2530)
1230.110	r	(P-5187)	2030.280	r	(P-9083/91; A-2457)
1230.120	r	(P-5187)	2030.290	r	(P-9153/91; A-2530)
1230.210	r	(P-5187)	2030.300	r	(P-9083/91; A-2457)
1230.220	r	(P-5187)	2030.310	r	(P-9153/91; A-2530)
1230.230	r	(P-5187)	2030.320	r	(P-9083/91; A-2457)
1230.240	r	(P-5187)	2030.330	r	(P-9153/91; A-2530)
1230.250	r	(P-5187)	2030.340	r	(P-9083/91; A-2457)
1230.260	r	(P-5187)	2030.350	r	(P-9153/91; A-2530)
1230.310	r	(P-5187)	2030.360	r	(P-9083/91; A-2457)
1230.320	r	(P-5187)	2030.370	r	(P-9153/91; A-2530)
1230.410	r	(P-5187)	2030.380	r	(P-9083/91; A-2457)
1230.420	r	(P-5187)	2030.390	r	(P-9153/91; A-2530)

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2032.25	r	(P-9218/91; A-2533)	2036.640	n	(P-4367)
2032.30	r	(P-9218/91; A-2533)	2056.645	n	(P-4567)
2032.35	r	(P-9218/91; A-2533)	2056.650	n	(P-4567)
2032.40	r	(P-9218/91; A-2533)	2056.655	n	(P-4567)
2032.45	r	(P-9218/91; A-2533)	2056.660	n	(P-4567)
2032.50	r	(P-9218/91; A-2533)	2056.705	am	(P-4567)
2032.55	r	(P-9218/91; A-2533)	2080.10	am	(P-11367)
2032.60	r	(P-9218/91; A-2533)	2080.20	am	(P-11367)
2056.1	am	(P-4567)	2080.30	am	(P-11367)
2056.5	am	(P-4567)	2080.40	am	(P-11367)
2056.15	am	(P-4567)	2080.50	am	(P-11367)
2056.20	am	(P-4567)	2080.60	am	(P-11367)
2056.25	am	(P-4567)	2080.70	am	(P-11367)
2056.50	am	(P-4567)	2080.80	am	(P-11367)
2056.55	am	(P-4567)	2080.120	am	(P-11367)
2056.60	am	(P-4567)	2080.140	am	(P-11367)
2056.61	am	(P-4567)	2080.150	am	(P-11367)
2056.65	#	(P-4567)	2080.160	am	(P-11367)
2056.70	#	(P-4567)	2080.170	am	(P-11367)
2056.75	am	(P-4567)	2090.20	am	(P-5104)
2056.210	am	(P-4567)	2090.40	am	(P-5104)
2056.215	am	(P-4567)	2090.70	am	(P-5104)
2056.301	#	(P-4567)	2090.70	am	(P-5104)
2056.301	am	(P-4567)	2090.100	am	(P-5104)
2056.303	#	(P-4567)	2510.50	am	(P-17444/91; A-8980)
2056.303	am	(P-4567)	2510.60	am	(P-17444/91; A-8980)
2056.305	am	(P-4567)	2510.70	am	(P-17444/91; A-8980)
2056.310	am	(P-4567)	2510.70	am	(P-17444/91; A-8980)
2056.315	am	(P-4567)		am	(P-17444/91; A-8980)
2056.320	am	(P-4567)		am	(P-17444/91; A-8980)
2056.325	am	(P-4567)		am	(P-4360)
2056.330	am	(P-4567)	150.410	am	(P-4360)
2056.405	am	(P-4567)	150.420	am	(P-4360)
2056.410	am	(P-4567)	150.430	am	(P-4360)
2056.415	am	(P-4567)	302.80	am	(P-336; A-8375)
2056.420	am	(P-4567)	302.150	am	(P-11390) (E-11645)
2056.500	am	(P-4567)	302.325	n	(P-11390) (E-11645)
2056.505	am	(P-4567)	302.822	am	(P-8675)
2056.510	r	(P-4567)	303.102	am	(P-327; A-8368)
2056.525	am	(P-4567)	303.115	n	(P-327; A-8368)
2056.600	am	(P-4567)	303.125	am	(P-327; A-8368)
2056.601	n	(P-4567)	303.175	n	(P-327; A-8368)
2056.603	n	(P-4567)	303.290	am	(P-327; A-8368)
2056.605	am	(P-4567)	303.385	n	(P-327; A-8368)
2056.607	n	(P-4567)	304.51	n	(P-334; RC-10499)
2056.610	am	(P-4567)	310.100	am	(P-342; A-8382)
2056.615	r	(P-4567)			(E-711)
2056.620	n	(P-4567)	310.110	am	(P-12051/91; A-3450)
2056.625	n	(P-4567)	310.130	am	(P-12051/91; A-3450)
2056.630	n	(P-4567)	310.230	am	(P-342; A-8382)

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104.244	am	(P-4741)	114.63	am	(P-15008/91; A-3512)
104.246	am	(P-4741)	114.64	am	(P-15008/91; A-3512)
104.248	n	(P-7793)	114.70	am	(P-15008/91; A-3512)
104.272	am	(P-2752)	114.80	am	(P-15008/91; A-3512)
104.273	am	(P-2752)	114.120	am	(P-15008/91; A-3512)
104.274	am	(P-2752)	114.121	am	(P-15008/91; A-3512)
104.295	am	(P-7793)	114.122	r	(P-15008/91; A-3512)
110.30	am	(P-3405; W-5082)	114.123	r	(P-15008/91; A-3512)
		(P-4704)	114.124	am	(P-15008/91; A-3512)
		(P-16851/91; A-11577)	114.128	am	(P-4216) (E-4540)
111.101	am	(P-3335)	114.135	am	(P-4216) (E-4540)
112.70	am	(P-3335)	114.351	am	(P-11401) (E-11662)
112.71	am	(P-3335)	114.352	am	(P-11401) (E-11662)
112.72	am	(P-3335)	114.353	am	(P-11401) (E-11662)
112.74	am	(P-3335)	114.400	am	(P-15008/91; A-3512)
112.78	am	(P-3335)	114.420	am	(P-15008/91; A-3512)
112.79	am	(P-3335)	115.10	am	(P-17897/91; A-10291)
112.82	am	(P-3335)	115.30	am	(P-17897/91; A-10291)
112.110	am	(P-16596/91; A-11550)	115.34	am	(P-17897/91; A-10291)
112.115	am	(P-18062/91; A-9972)	115.40	am	(P-17897/91; A-10291)
112.138	r	(P-11399) (E-11652)	116.500	am	(P-16623/91; A-5350)
112.300	am	(P-18062/91; A-9972)	116.520	am	(P-16623/91; A-5350)
112.400	am	(P-16596/91; A-11550)	117.10	am	(P-8938)
113.40	am	(P-14994/91; A-3468)	118.200	am	(P-17040/91; A-11607)
113.50	am	(P-14994/91; A-3468)	120.11	am	(P-16625/91; A-11582)
113.108	r	(P-16610/91; A-11565)	120.31	am	(P-16625/91; A-11582)
113.109	r	(P-16610/91; A-11565)	120.60	am	(P-16625/91; A-11582)
113.110	r	(P-16610/91; A-11565)	120.64	am	(P-16625/91; A-11582)
113.113	am	(P-16610/91; A-11565)	120.382	am	(P-16625/91; A-11582)
113.130	am	(P-18073/91; A-9986)	120.390	am	(P-16625/91; A-11582)
113.253	am	(P-18073/91; A-9986)	120.391	am	(P-16625/91; A-11582)
113.260	am	(P-18073/91; A-9986)	120.50	r	(P-12137/91; A-139)
113.302	r	(P-14994/91; A-3468)	120.80	am	(P-16856/91; A-10034)
113.400	n	(P-14994/91; A-3468)	120.200	n	(P-12137/91; A-139)
113.405	n	(P-14994/91; A-3468)	120.208	r	(P-12137/91; A-139)
113.410	n	(P-14994/91; A-3468)	120.210	r	(P-12137/91; A-139)
113.415	n	(P-14994/91; A-3468)	120.211	r	(P-12137/91; A-139)
113.420	n	(P-14994/91; A-3468)	120.212	r	(P-12137/91; A-139)
113.425	n	(P-14994/91; A-3468)	120.215	r	(P-12137/91; A-139)
113.430	n	(P-14994/91; A-3468)	120.216	r	(P-12137/91; A-139)
113.435	n	(P-14994/91; A-3468)	120.217	r	(P-12137/91; A-139)
113.440	#	(P-14994/91; A-3468)	120.218	r	(P-12137/91; A-139)
113.440	am	(P-14994/91; A-3468)	120.224	r	(P-12137/91; A-139)
113.445	n	(P-14994/91; A-3468)	120.225	r	(P-12137/91; A-139)
114.1	am	(P-15008/91; A-3512)	120.230	r	(P-12137/91; A-139)
		(P-11401) (E-11662)	120.235	r	(P-12137/91; A-139)
114.2	n	(P-15008/91; A-3512)	120.236	r	(P-12137/91; A-139)
		(P-15008/91; A-3512)	120.240	r	(P-12137/91; A-139)
114.60	am	(P-15008/91; A-3512)	120.245	r	(P-12137/91; A-139)
114.61	am	(P-15008/91; A-3512)	120.250	r	(P-12137/91; A-139)
114.62	am	(P-15008/91; A-3512)	120.255	r	(P-12137/91; A-139)

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120.260	r	(P-12137/91; A-139)	140.421	am	(P-7576) (P-10145)
120.261	r	(P-12137/91; A-139)	140.413	am	(P-6719)
120.262	r	(P-12137/91; A-139)	140.440	am	(P-12171/91; A-4006)
120.270	r	(P-12137/91; A-139)	140.441	am	(P-12171/91; A-4006)
120.271	r	(P-12137/91; A-139)	140.442	am	(P-12171/91; A-4006)
120.272	r	(P-12137/91; A-139)	140.449	am	(P-12171/91; A-4006)
120.273	r	(P-12137/91; A-139)	140.469	am	(P-13683/91; A-3552)
120.275	r	(P-12137/91; A-139)	140.512	am	(P-13274/91; A-6849)
120.276	r	(P-12137/91; A-139)	140.513	r	(P-13274/91; A-6849)
120.280	r	(P-12137/91; A-139)	140.514	am	(P-11555/91; A-4006)
120.281	r	(P-12137/91; A-139)	140.526	r	(P-472) (P-9393)
120.282	r	(P-12137/91; A-139)	140.527	r	(P-472) (P-9393)
120.283	r	(P-12137/91; A-139)	140.528	r	(P-472) (P-9393)
120.284	r	(P-12137/91; A-139)	140.529	r	(P-472) (P-9393)
120.285	r	(P-12137/91; A-139)	140.530	am	(P-15933/91; A-6408)
120.290	r	(P-12137/91; A-139)	140.538	am	(P-15933/91; A-6408)
120.295	r	(P-12137/91; A-139)	140.539	am	(P-472; A-11174)
120.319	am	(P-12137/91; A-139)	140.543	am	(P-3045)
120.320	am	(P-12137/91; A-139)	140.552	am	(P-15933/91; A-6408)
120.321	am	(P-12137/91; A-139)	140.560	am	(P-5585/91; A-7017)
120.322	am	(P-12137/91; A-139)	140.561	am	(P-7482/91; A-3552)
120.323	am	(P-12137/91; A-139)	140.562	am	(P-15933/91; A-6408)
120.384	am	(P-7761)	140.565	n	(P-1492)
121.25	am	(P-8998)	140.566	am	(P-4708)
121.34	am	(P-8039)	140.569	am	(P-15933/91; A-6408; RQ-9138; EC-11348)
121.58	am	(P-2420; A-10011)	140.579	am	(P-3409)
121.63	am	(E-757) (P-6708)	140.583	am	(P-15933/91; A-6408)
121.72	am	(P-18086; A-10011)	140.600	n	(P-472)
121.73	am	(P-2420; A-10011)	140.602	n	(P-472)
121.91	am	(P-14186/91; A-10011)	140.604	n	(P-472)
121.94	am	(P-14186/91; A-10011)	140.606	n	(P-472)
130.200	am	(P-6931)	140.608	n	(P-472)
140.2	am	(P-17171/91; A-174)	140.610	n	(P-472)
		(P-6936)	140.612	n	(P-472)
		(P-17171/91; A-174)	140.614	n	(P-472)
140.5	am	(P-17171/91; A-174)	140.646	am	(P-6949/91; A-1877)
140.11	am	(P-6949/91; A-3552)	140.700	am	(P-7576)
140.13	am	(P-4708)	140.835	r	(P-15933/91; A-6408)
140.14	am	(P-4708)	141.10	r	(P-12132/91; A-7922)
140.15	am	(P-7775)	141.100	r	(P-12132/91; A-7922)
140.16	am	(P-4708) (P-8047)	141.200	r	(P-12132/91; A-7922)
140.17	am	(P-8047)	141.240	r	(P-12132/91; A-7922)
140.19	am	(P-4708)	141.280	r	(P-12132/91; A-7922)
140.27	am	(P-65; A-10050) (E-300)	141.320	r	(P-12132/91; A-7922)
140.31	n	(P-4708)	141.360	r	(P-12132/91; A-7922)
140.32	n	(P-4708)	141.400	r	(P-12132/91; A-7922)
140.33	n	(P-4708)	141.440	r	(P-12132/91; A-7922)
140.95	n	(P-15933/91; A-6408)	141.480	r	(P-12132/91; A-7922)
140.420	am	(P-10145)	141.520	r	(P-12132/91; A-7922)

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TITLE 89 (CONT'D)		352, Ap. A	am	(P-13229/91; A-3924)
335.320	am	377.2	am	(P-7553)
335.326	am	377.4	am	(P-7553)
335.328	am	378.1	r	(P-7561)
335.330	am	378.2	r	(P-7561)
335.332	am	378.3	r	(P-7561)
335.334	am	378.4	r	(P-7561)
335.336	am	406.2	am	(E-15088/91; M-2269)
335.338	am			(P-1473491; A-7602)
336.10	n	406.4	am	(P-1473491; A-7602)
336.20	n	406.5	am	(P-1473491; A-7602)
336.30	n	406.6	am	(P-1473491; A-7602)
336.40	n	406.7	am	(P-1473491; A-7602)
336.50	n	406.8	am	(P-1473491; A-7602)
336.60	n	406.9	am	(P-1473491; A-7602)
336.70	n	406.10	am	(P-1473491; A-7602)
336.80	n	406.11	am	(P-1473491; A-7602)
336.90	n	406.12	am	(P-1473491; A-7602)
336.100	n	406.13	am	(P-1473491; A-7602)
336.110	n	406.14	am	(P-1473491; A-7602)
336.120	n	406.22	am	(P-1473491; A-7602)
336.130	n	406.24	am	(P-1473491; A-7602)
336.140	n	407.29	am	(P-14729/91; A-7597)
336.150	n	408.5	am	(P-14764/91; A-8950)
336.160	n	408.7	n	(P-14764/91; A-8950)
336.170	n	408.20	am	(P-14764/91; A-8950)
336.180	n	408.30	am	(P-14764/91; A-8950)
337.20	n	408.40	am	(P-14764/91; A-8950)
337.30	n	408.50	am	(P-14764/91; A-8950)
337.40	n	408.60	am	(P-14764/91; A-8950)
337.50	n	408.65	am	(P-14764/91; A-8950)
337.60	n	408.70	am	(P-14764/91; A-8950)
337.70	n	408.105	am	(P-14764/91; A-8950)
337.80	n	510.10	am	(P-69; A-8537)
337.90	n	510.20	am	(P-69; A-8537)
337.100	n	510.30	am	(P-69; A-8537)
337.110	n	510.40	am	(P-69; A-8537)
337.120	n	510.70	am	(P-69; A-8537)
337.130	n	510.80	am	(P-69; A-8537)
337.140	n	510.90	am	(P-69; A-8537)
337.150	n	510.100	am	(P-69; A-8537)
337.160	n	510.110	am	(P-69; A-8537)
337.170	n	567.20	am	(P-10403)
337.180	n	567.30	am	(P-10403)
337.190	n	567.100	am	(P-18110/91; A-8235)
337.200	n	587.70	am	(P-3440)
337.210	n	597.20	am	(E-11682)
337.220	n	673.10	n	(E-11682)
337.230	n	673.20	n	(E-11682)
337.240	n	673.30	n	(E-11682)
337.250	n	673.40	n	(E-11682)

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240.400	am	(E-2630) (P-11363)	305.10	(P-5403)
		(E-11625)	305.20	am
240.415	am	(E-2630) (P-11363)	305.30	am
		(E-11625)	305.40	#
240.430	am	(E-17007/91; M-2930)	305.50	am
		(E-1739/91; S-1744;	305.60	am
		W-2955; M-2943)	305.70	n
240.435	am	(P-17007/91; M-2930)	305.80	n
		(E-17398/91; S-1744;	305.90	#
		W-2955; M-2943)	305.100	#
240.451	n	(E-11363) (E-11625)	305.110	#
240.655	am	(E-4069; RC-6898)	305.120	#
		(P-14335/91; A-11403)	305.130	am
240.720	am	(P-17007/91; M-2930)	305.140	#
		(E-17398/91; S-1744;	309.1	r
		W-2955; M-2943)	309.2	r
		(E-2901)	309.3	r
240.720	r	(P-11363) (E-11625)	309.4	r
240.725	am	(P-17007/91; M-2930)	309.5	r
		(E-17398/91; S-1744;	309.6	r
		W-2955; M-2943(2901)	309.7	r
240.725	r	(P-11363) (E-11625)	309.8	r
240.726	n	(E-2630)	309.9	r
240.726	r	(P-11363) (E-11625)	309.10	r
240.727	n	(P-11363) (E-11625)	309.11	r
240.728	n	(P-11363) (E-11625)	309.12	r
240.800	am	(E-2901) (P-11363)	309.13	r
		(E-11625)	309.14	r
240.810	am	(E-2901) (P-11363)	309.15	r
		(E-11625)	309.16	r
240.825	am	(E-11625)	309.17	r
		(E-2901) (P-11363)	309.18	r
240.855	am	(E-11625)	309.19	r
		(E-2901) (P-11363)	309.20	r
240.1600	am	(E-11625)	309.21	r
240.1605	am	(P-4087)	309.22	r
240.1610	am	(P-4087)	309.23	r
240.1620	am	(P-4087)	335.100	am
240.1625	am	(P-4087)	335.102	am
240.1630	am	(P-4087)	335.200	am
240.1635	am	(P-4087)	335.202	am
240.1640	am	(P-4087)	335.300	am
240.1645	am	(P-4087)	335.302	am
240.1650	am	(P-4087)	335.304	am
240.1655	am	(P-4087)	335.306	am
240.1660	am	(P-4087)	335.308	am
240.1665	am	(P-4087) (C-5083)	335.310	am
240.1661	n	(P-4087) (C-5083)	335.312	am
240.1665	am	(P-4087)	335.314	am
302.20	am	(P-7565)	335.316	am
304.2	am	(P-7545)	335.318	am

TITLE 92 (CONT'D)		TITLE 95 (CONT'D)	
530.202	r	(P-3003/91; A-2256)	r
530.203	r	(P-3003/91; A-2256)	r
530.210	n	(P-2940/91; A-2193)	n
530.220	n	(P-2940/91; A-2193)	n
530.225	n	(P-2940/91; A-2193)	n
530.230	n	(P-2940/91; A-2193)	n
530.240	n	(P-2940/91; A-2193)	n
530.250	n	(P-2940/91; A-2193)	n
530.260	n	(P-2940/91; A-2193)	n
530.270	n	(P-2940/91; A-2193)	n
530.275	n	(P-2940/91; A-2193)	n
530.280	n	(P-2940/91; A-2193)	n
530.290	n	(P-2940/91; A-2193)	n
530.300	n	(P-2940/91; A-2193)	n
530.301	r	(P-3003/91; A-2256)	r
530.302	r	(P-3003/91; A-2256)	r
530.303	r	(P-3003/91; A-2256)	r
530.310	n	(P-2940/91; A-2193)	n
530.320	n	(P-2940/91; A-2193)	n
530.330	n	(P-2940/91; A-2193)	n
530.400	n	(P-2940/91; A-2193)	n
530.401	r	(P-3003/91; A-2256)	r
530.402	r	(P-3003/91; A-2256)	r
530.403	r	(P-3003/91; A-2256)	r
530.410	n	(P-2940/91; A-2193)	n
530.420	n	(P-2940/91; A-2193)	n
530.430	n	(P-2940/91; A-2193)	n
530.440	n	(P-2940/91; A-2193)	n
530.450	n	(P-2940/91; A-2193)	n
530.460	n	(P-2940/91; A-2193)	n
530.470	n	(P-2940/91; A-2193)	n
530.480	n	(P-2940/91; A-2193)	n
530.500	n	(P-2940/91; A-2193)	n
530.501	r	(P-3003/91; A-2256)	r
530.502	r	(P-3003/91; A-2256)	r
530.503	r	(P-3003/91; A-2256)	r
530.510	n	(P-2940/91; A-2193)	n
530.520	n	(P-2940/91; A-2193)	n
530.530	n	(P-2940/91; A-2193)	n
530.600	n	(P-2940/91; A-2193)	n
530.601	r	(P-3003/91; A-2256)	r
530.602	r	(P-3003/91; A-2256)	r
530.603	r	(P-3003/91; A-2256)	r
530.610	n	(P-2940/91; A-2193)	n
530.700	n	(P-2940/91; A-2193)	n
530.701	r	(P-3003/91; A-2256)	r
530.702	r	(P-3003/91; A-2256)	r
530.710	n	(P-2940/91; A-2193)	n
530.800	n	(P-2940/91; A-2193)	n
530.801	r	(P-3003/91; A-2256)	r

TITLE 95 (CONT'D)		TITLE 95 (CONT'D)	
121.90	n	(P-561; A-7707)	n
121.100	n	(P-561; A-7707)	n
121.110	n	(P-561; A-7707)	n
121.120	n	(P-561; A-7707)	n
121.130	n	(P-561; A-7707)	n
121.140	n	(P-561; A-7707)	n
121.150	n	(P-561; A-7707)	n
121.160	n	(P-561; A-7707)	n
121.170	n	(P-561; A-7707)	n
121.180	n	(P-561; A-7707)	n
121.190	n	(P-561; A-7707)	n
121.200	n	(P-561; A-7707)	n
121.210	n	(P-561; A-7707)	n
121.220	n	(P-561; A-7707)	n
121.230	n	(P-561; A-7707)	n
122.10	n	(P-2113)	n
122.20	n	(P-2113)	n
122.30	n	(P-2113)	n
122.40	n	(P-2113)	n
122.50	n	(P-2113)	n
122.60	n	(P-2113)	n
122.70	n	(P-2113)	n

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